United Nations S/2018/907

Security Council

Distr.: General
12 October 2018
English
Original: Russian

Letter dated 10 October 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith information bulletins from the Russian Federation Ministry of Defence regarding the status of implementation of the memorandum on the creation of de-escalation areas in the Syrian Arab Republic for 9 and 10 October 2018 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) V. **Nebenzia**

18-17049 (E) 121018 161018

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Annex to the letter dated 10 October 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Information bulletin from the Russian Federation Ministry of Defence regarding the status of implementation of the memorandum on the creation of de-escalation areas (9 October 2018)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the memorandum on the creation of de-escalation areas in the Syrian Arab Republic, signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported four incidents of gunfire: three in Ladhiqiyah Governorate and one in Aleppo Governorate.

The Turkish representative office has reported two incidents of gunfire in Hama Governorate.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours the Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic has carried out one humanitarian operation: in Marrat, Dayr al-Zawr Governorate, 450 food parcels with a total weight of 1.95 tons were delivered.

In total, 1,958 humanitarian operations have been carried out. The total weight of humanitarian cargo delivered is 3,061 tons.

Reconciliation of opposing sides

No ceasefire agreements have been signed over the past 24 hours.

The number of populated areas that have joined the reconciliation process is 2,518.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.

Information bulletin from the Russian Federation Ministry of Defence regarding the status of implementation of the memorandum on the creation of de-escalation areas (10 October 2018)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the memorandum on the creation of de-escalation areas in the Syrian Arab Republic, signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The number of violations by illegal armed groups active in the Idlib de-escalation area has not decreased.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported eight incidents of gunfire in the following Governorates: six in Aleppo, one in Hama and one in Ladhiqiyah.

The Turkish representative office has not reported any violations.

Provision of humanitarian aid to the population of the Syrian Arab Republic

The Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic has carried out one humanitarian operation over the past 24 hours: in Ayn Ayshah, Qunaytirah Governorate, 300 food parcels with a total weight of 1.29 tons were delivered.

In total, 1,959 humanitarian operations have been carried out. The total weight of humanitarian cargo delivered is 3,062.56 tons.

Reconciliation of opposing sides

No ceasefire agreements have been signed over the past 24 hours.

The number of populated areas that have joined the reconciliation process remains unchanged at 2,518.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.

United Nations S/2018/908

Security Council

Distr.: General
11 October 2018

Original: English

Letter dated 11 October 2018 from the Permanent Representative of Namibia to the United Nations addressed to the President of the Security Council

I should be grateful if the present letter and its annex could be issued as a document of the Security Council:

- Letter from Sidi Omar, Representative of the Frente POLISARIO at the United Nations

(*Signed*) Neville **Gertze**
Ambassador
Permanent Representative

18-16972 (E) 161018

Please recycle

Annex to the letter dated 11 October 2018 from the Permanent Representative of Namibia to the United Nations addressed to the President of the Security Council

The Frente POLISARIO takes note of the report of the Secretary-General (S/2018/889) on the situation concerning Western Sahara, submitted to the Security Council on 3 October 2018, and would like to bring to the attention of the members of the Security Council our views regarding several elements contained in the report.

First, we would like to reiterate our full cooperation with the Secretary-General's efforts. We are encouraged by the commendable efforts of the Personal Envoy of the Secretary-General for Western Sahara, Horst Köhler, to relaunch the negotiating process between the two parties to the conflict, the Frente POLISARIO and Morocco. We, the Frente POLISARIO, have officially accepted the invitation of the Personal Envoy for the initial round-table meeting scheduled to take place in Geneva in early December 2018, and we stand ready to engage in direct negotiations in good faith and without preconditions with Morocco under the auspices of the United Nations and in line with the relevant Security Council resolutions, including resolution 2414 (2018).

As the Secretary-General stated in his report, we believe that the role of the United Nations Mission for the Referendum in Western Sahara (MINURSO) "is predicated on its ability to impartially and independently fulfil the mandate set forth by the Security Council" (para. 80). We therefore urge the Security Council to address the long-standing issues that continue to seriously undermine the credibility, impartiality and independence of the Mission. This includes taking the steps necessary to resolve the following issues, as outlined in the Secretary-General's report:

- **Unacceptable status quo**. Paragraph 56 acknowledges that "the Mission's lack of access to interlocutors continues to limit its ability to form an independent assessment of the situation in Western Sahara west of the berm". This situation is exacerbated by the fact that MINURSO vehicles are forced to bear Moroccan number plates and that Morocco continues to affix Moroccan stamps on the passports of MINURSO personnel upon their entry to and exit from Western Sahara. These actions are indicative of an unacceptable state of affairs that undermines the impartiality, independence and credibility of MINURSO and the United Nations itself.

- **Tackling the root causes of the crisis**. Paragraph 8 refers to paragraph 9 of Security Council resolution 2414 (2018), which calls upon the Secretary-General to seek to better understand the "fundamental questions related to the ceasefire and related agreements". We must underscore that such fundamental questions remain unanswered precisely because the underlying causes of the tension in the buffer strip in Guerguerat have not been resolved. In this regard, the Frente POLISARIO firmly believes that addressing the situation effectively requires a comprehensive approach that examines and tackles the underlying causes of the crisis and its implications for the existing military agreements that sustain the status quo in the Territory and the United Nations political process as a whole.

- **Illegal attempts to normalize occupation**. We are deeply concerned by the illegal attempts to "normalize" the occupation and illegal annexation of Western Sahara by Morocco, where the annexationist practices of the occupying power seem to raise no questions as to their legality and consequences. Morocco's persistent attempts to use the Mission as a tool to legitimize its illegal claims of militarily imposed sovereignty on our country have reached outrageous

proportions, and they must be confronted robustly for the sake of peace and security in the region. The Frente POLISARIO once again calls upon the Security Council to uphold clearly and forcefully the legal status of Western Sahara, as a Non-Self-Governing Territory, to preserve its territorial integrity pending a definitive solution to the conflict and to guarantee that MINURSO operates in line with the basic standards and general principles applicable to United Nations peacekeeping operations.

- **Constructive relationship with the Special Representative for Western Sahara**. We would like to emphasize that the relationship and interaction between MINURSO, including with the Special Representative for Western Sahara and Head of the United Nations Mission for the Referendum in Western Sahara, Colin Stewart, and the Frente POLISARIO continue at multiple levels and we are committed to continuing our full and constructive cooperation with the Special Representative. In addition to the meeting between the Special Representative and the Sahrawi Coordinator with MINURSO, Mhamed Khadad, I met the Special Representative at the United Nations as recently as 8 October 2018. Indeed, had it not been for the full and constructive interaction between the Frente POLISARIO and the Special Representative, it would have been impossible to address some of the major outstanding issues.

We would also like to underscore that our position on meeting the Special Representative is forged on a sound legal basis. The definition of the mission area of MINURSO is clearly established by the relevant agreements accepted by both parties and approved by the Security Council, which includes mainly the Territory of Western Sahara within its internationally recognized borders. For this reason, the Special Representative and Head of Mission, and other senior officials of the Mission, should be able to meet with the Frente POLISARIO at any location within the boundaries of the Territory. Furthermore, the notion that the Frente POLISARIO cannot meet with MINURSO leadership in our own Territory, over which the United Nations does not recognize any de jure or de facto Moroccan sovereignty, is excessive and dangerous.

We are at an important moment in history. We are hopeful that the proposed meeting in Geneva will mark the beginning of a sustained, substantive and purposeful process of serious and direct negotiations between the two parties with a view to achieving a just, peaceful and lasting solution, which ensures the inalienable right of our people to self-determination and contributes to restoring regional peace and security. It is critical that all Member States do their utmost to ensure that these talks succeed, and that our people have the outcome they so rightly deserve.

I would be most grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) Sidi M. **Omar**
Representative of the Frente POLISARIO
at the United Nations

United Nations S/2018/909

Security Council

Distr.: General
11 October 2018

Original: English

United States of America: draft resolution

The Security Council,

Recalling its previous resolutions and its presidential statements on the situation in Sudan and South Sudan, and in particular, resolutions 1990 (2011), 2024 (2011), 2032 (2011), 2046 (2012), 2047 (2012), 2075 (2012), 2104 (2013), 2126 (2013), 2156 (2014), 2179 (2014), 2205 (2015), 2230 (2015), 2251 (2015), 2287 (2016), 2318 (2016), 2352 (2017), 2386 (2017), 2412 (2018), and 2416 (2018) as well as presidential statements S/PRST/2012/19 and S/PRST/2013/14, and the Council's press statements of 18 June 2012, 21 September 2012, 28 September 2012, 6 May 2013, 14 June 2013, 14 February 2014, 17 March 2014, 11 December 2014, and 27 November 2015,

Welcoming the progress made towards the implementation of the Joint Border Verification and Monitoring Mechanism (JBVMM), while *noting* that measures set out in paragraph 9 of resolution 2386 (2017) and in resolution 2412 (2018) have not been completely achieved, and *calling* on the parties to fulfil these measures without delay,

Stressing the need for the Governments of Sudan and South Sudan to fully implement the JBVMM, in accordance with Security Council resolution 2046 (2012) and the African Union Peace and Security Council Roadmap of 24 April 2012, the Joint Political and Security Mechanism (JPSM) Communique of 31 October 2017, and the Decisions of the JPSM of 24 September 2018,

Commending the continued assistance provided to the parties by the African Union High-level Implementation Panel (AUHIP) and the United Nations Interim Security Force for Abyei (UNISFA),

Taking note of the 20 August 2018 Secretary-General's report (S/2018/778),

Recognizing that the current situation in Abyei and along the border between the Sudan and South Sudan continues to constitute a serious threat to international peace and security,

1. *Decides* to extend until 15 April 2019 UNISFA's mandate modification set forth in resolution 2024 (2011) and paragraph 1 of resolution 2075 (2012), and *further decides* that this shall be the final such extension unless the parties take the specific measures described in paragraph 3;

2. *Decides* to maintain UNISFA's authorized troop ceiling of 4,500 until 15 November 2018; and further decides that as of 15 April 2019, the authorized troop ceiling shall decrease by 541 troops, unless it decides to extend the mandate

modification set forth in resolution 2024 (2011) and paragraph 1 of resolution 2075 (2012), in accordance with paragraphs 1 and 3;

3. *Determines* that both parties should also demonstrate measurable progress on border demarcation, specifically:

(1) UNISFA and JBVMM Patrols: Maintain standing clearance and achieve full freedom of movement for all UNISFA air and ground patrols, including landing within the Safe Demilitarized Border Zone (SDBZ), and maintain approval for 100 percent of requested sorties no later than 72 hours after the requests are delivered,

(2) JBVMM Team Sites: Establish Abu Qussa/Wunkur team site, and finalize agreement on the location of the As Sumayah/Wierayen and Safaha/Kiir Adem team sites,

(3) The Government of South Sudan to establish a high-level team, in coordination with the Ad-hoc Committee of the 14 Mile Area, to undertake community sensitization to enable ground movement by UNISFA from Gok Machar into the SDBZ and the establishment of the JBVMM team sites as per benchmark 2,

(4) Convene at least two meetings of the JPSM during the mandate period that provide clear guidance to JBVMM, and for both parties to completely withdraw from the SDBZ,

(5) Border Crossing Corridors: Develop and begin to implement a timeline for verifying, together with UNISFA, the functioning of the 10 border crossings and free movement across the border,

(6) Customs and Migration: Each country establish customs and migration offices for, at least, two of the four Phase 1 border crossings between Sudan and South Sudan,

(7) Hold at least two meetings of the Joint Border Commission and Joint Demarcation Committee, with one meeting of each occurring prior to 15 March 2019, finalize the Joint Demarcation Committee's report to the Joint Border Commission, discuss border demarcation of the agreed sections of the boundary per the 5 March 2018 JPSM decision, and resume border demarcation discussions including negotiations on the disputed areas within the framework of the signed agreements;

4. *Requests* the Secretary-General to inform it of progress in implementing any steps taken per paragraph 3, in writing, no later than 15 March 2019;

5. *Decides* to remain actively seized of this matter.

United Nations S/2018/910

Security Council

Distr.: General
11 October 2018

Original: English

Letter dated 11 October 2018 from the Permanent Representative of Namibia to the United Nations addressed to the President of the Security Council

I should be grateful if you would have the present letter and its annex, the views of the Frente POLISARIO on the questions raised by the Secretariat of the United Nations regarding the ceasefire and related agreements (see annex), issued as a document of the Security Council.

(*Signed*) Neville **Gertze**
Ambassador
Permanent Representative

18-16978 (E) 191018

Please recycle

Annex to the letter dated 11 October 2018 from the Permanent Representative of Namibia to the United Nations addressed to the President of the Security Council

THE VIEWS OF THE FRENTE POLISARIO ON THE QUESTIONS RAISED BY THE SECRETARIAT OF THE UNITED NATIONS REGARDING THE CEASEFIRE AND RELATED AGREEMENTS

INTRODUCTION

1. Despite the repeated and unjustified delays of the self-determination referendum for which MINURSO was established in 1991 as well as Morocco's well-documented obstructionism and blatant defiance of Security Council resolutions, the Frente POLISARIO has consistently respected the terms of the ceasefire and related agreements. Moreover, it has engaged constructively in the UN peace process as called for by the Security Council to ensure the right of our People to self-determination and independence.

2. For the past 27 years, Morocco has not only obstructed the full implementation of the Settlement Plan for Western Sahara, which was accepted by both parties, the Frente POLISARIO and Morocco, and approved by the Security Council. It has also engaged in sustained illegal annexationist policies and actions to alter the status quo in the territories of Western Sahara under its military occupation and over which the UN does not recognise any Moroccan sovereignty or administering jurisdiction.

3. Morocco's annexationist practices include, *inter alia*, reinforcing its military presence in the Territory in flagrant contravention of International Law and existing legal agreements concluded under the UN auspices; constructing military barracks, airports, ports and other infrastructures designed to entrench the occupation; holding elections and organising conferences such as Crans Montana Forum in the occupied city of Dajla (Dakhla); transferring thousands of Moroccan settlers to the Territory to change the latter's demographic nature and administrative configuration in contravention of the rules of International Humanitarian Law; and plundering the natural resources of the Territory against the will of its people and in violation of their right to permanent sovereignty over their resources.

4. In the framework of its annexationist policy, in August 2016 Morocco sought to change unilaterally the status quo in the Territory by constructing a road across its military wall and the buffer strip in Guerguerat in Western Sahara in violation of the ceasefire agreement in place since 1991. The dangerous and provocative move, to which the Frente POLISARIO had to respond at the time in the face of the UN inaction, was a clear breach of the terms of the ceasefire and Military Agreement No. 1, and it remains the root cause of the current tension in the whole area.

5. In its resolution 2351 (2017) adopted on 28 April 2017, the Security Council recognised "*that the recent crisis in the buffer strip in Guerguerat raises fundamental questions related to the ceasefire and related agreements*" and encouraged "*the Secretary-General to explore ways that such questions can be resolved*" (OP 3). In line with Security Council resolution 2351 (2017), the UN Secretariat sent notes verbales to both parties on 2 June 2017 proposing to address these questions, including through the deployment of an expert mission to conduct in-depth consultations with the parties. As recognised by the UN Secretary-General in his report (S/2018/277) of 29 March 2018, the Frente POLISARIO accepted the proposal in June. In August, Morocco responded that Military Agreement No. 1 remained

viable and a guarantee for the preservation of the ceasefire and, therefore, it considered the proposed mission "untimely" and "inappropriate" (S/2018/277; para. 5). The Moroccan opposition to the deployment of the proposed UN expert mission demonstrated once again that Morocco was unwilling to address the causes underlying the crisis caused by Morocco itself when it sought to alter unilaterally the status quo in the buffer strip in Guerguerat in violation of the terms of the ceasefire and the related Military Agreement No. 1.

6. In the face of Morocco's opposition to the deployment of the proposed UN expert mission, instead of holding Morocco accountable for such uncooperative attitude, the Security Council reiterated its recognition "*that fundamental questions related to the ceasefire and related agreements remain*" and called upon "*the Secretary-General to interview the parties in an effort to better understand these issues*" (OP 9 of resolution 2414 (2018)).

7. On 31 July 2018, the Frente POLISARIO received a letter from the Secretariat of the United Nations in which the latter referred to resolution 2414 (2018) adopted by the Security Council on 27 April 2018. As a follow-up to paragraph 9 of resolution 2414 (2018), the UN Secretariat requested the views of the Frente POLISARIO on the following questions:

> *1. What is the Frente POLISARIO's understanding of the ceasefire and related agreements?*
>
> *2. What aspects of the ceasefire and related agreements would need to be adjusted?*

8. In view of the foregoing, the Frente POLISARIO emphasises the following elements that in their entirety constitute the Frente POLISARIO's reasoning and detailed views on the abovementioned two questions as well as its understanding of the ceasefire and related agreements.

1. UNDERSTANDING OF THE CEASEFIRE AND RELATED AGREEMENTS

9. With regard to the first question relating to "*what is the Frente POLISARIO's understanding of the ceasefire and related agreements*", the Frente POLISARIO underscores the following:

1.1 The ceasefire

10. The Frente POLISARIO is of the firm view that the UN-supervised ceasefire in Western Sahara cannot be understood and addressed without placing it in its proper context and comprehensive legally binding framework as mutually accepted by both parties and endorsed by Security Council relevant resolutions.

11. A key reference document establishing the context of the ceasefire is the report of the UN Secretary-General (S/21360) of 18 June 1990, which contains (Part I) ***Proposals by the Secretary-General of the United Nations and the current Chairman of the Assembly of Heads of State and Government of the Organisation of African Unity aimed at a settlement of the question of Western Sahara accepted in principle by the parties on 30 August 1988*** and (Part II) ***Implementation plan proposed by the Secretary-General pursuant to Security Council resolution 621 (1988) of 20 September 1988***.

12. In the general introduction of the abovementioned report, the Secretary-General pointed out that, "*On 11 August 1988, the Secretary-General of the United Nations and the Special Envoy of the then Chairman of the Assembly of Heads of State and Government of the Organization of African Unity (OAU) presented, in separate meetings, to the parties to the conflict in Western Sahara, namely Morocco and the*

Frente Popular para La Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) a document ("the settlement proposals") containing proposals for a just and definitive solution of the question of Western Sahara in conformity with General Assembly resolution 1514 (XV) by means of a cease-fire and the holding of a referendum without military or administrative constraints to enable the people of Western Sahara, in the exercise of their right to self-determination, to choose between independence and integration with Morocco" (para. 1).

13. Regarding the ceasefire declaration, the Secretary-General underlined, in paragraph 11 of his report (S/21360), that "*In conformity with the relevant provisions of General Assembly resolutions 1514 (XV) and 40/50 and OAU resolution AHG/Res. 104 (XIX), the parties to the conflict in Western Sahara, Morocco and the Frente POLISARIO, undertake to end all acts of hostility and to abide scrupulously by the cease-fire to be declared by the Secretary-General of the United Nations, in consultation with the current Chairman of OAU, at a date and in accordance with the procedures set forth below.*"

14. In paragraph 20 of the report, the Secretary-General further pointed out that "*The Secretary-General of the United Nations, after consulting the Security Council, will appoint a United Nations observer group to be stationed in Western Sahara. The Observer Group [which will be responsible for supervising the cessation of hostilities and the application of the cease-fire] will be established and will function in accordance with the general principles applicable to United Nations peace-keeping operations*". Moreover, he underlined, in paragraph 21, that "*Morocco and the Frente POLISARIO undertake to co-operate fully with the Observer Group and to abide by and observe scrupulously the above cease-fire provisions*".

15. In its resolution 658 (1990), which was adopted unanimously on 27 June 1990, the Security Council approved "*the report of the Secretary-General, transmitted to the Council in accordance with resolution 621(1988) with a view to settling the question of Western Sahara, which contains the full text of the settlement proposals as accepted by the two parties on 30 August 1988 as well as an outline of the plan provided by the Secretary-General in order to implement those proposals*" (OP 2). The Council further called upon "*the two parties to cooperate fully with the Secretary-General of the United Nations and the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity in their efforts aimed at an early settlement of the question of Western Sahara*" (OP 3).

16. Following the submission by the Secretary-General of his report (S/22464) of 19 April 1991, the Security Council unanimously adopted resolution 690 (1991) on 29 April 1991 in which the Council approved "*the report of the Secretary-General, transmitted to the Council in accordance with resolution 658 (1990)*"; called upon "*the two parties to cooperate fully with the Secretary-General in the implementation of his plan as described in his report of 18 June 1990 and amplified in his report of 19 April 1991*"; and decided "*to establish, under its authority, a United Nations Mission for the Referendum in Western Sahara in accordance with the report of 19 April 1991*".

17. By a letter dated 8 July 1991 addressed to the President of the Security Council (S/22779), the Secretary-General informed the Council that, in accordance with paragraph 12 of his report of 18 June 1990 (S/21360), he had written to Morocco and the Frente POLISARIO on 24 May 1991, proposing that a formal ceasefire should commence on 6 September 1991, and that the two parties had accepted that date. By a letter dated 3 September 1991 addressed to the President of the Security Council (S/23008), the Secretary-General transmitted a note regarding the implementation of the ceasefire, while recalling that paragraph 20 of document S/21360 stipulated that

the establishment and functioning of the Observer Group would be "*in accordance with the general principles applicable to United Nations peace-keeping operations*".

18. In the annexed ***note regarding the implementation of the cease-fire in Western Sahara***, the Secretary-General pointed out that "*1. In the context of the United Nations plan (S/21360 of 18 June 1990 and S/22464 of 19 April 1991), and bearing in mind the fact that the parties have accepted 6 September as the date of the cease-fire, the Secretary-General intends to deploy, as of that date, military observers to verify the cease-fire and the cessation of hostilities in the areas referred to below; 2. In the wake of recent developments, 10 observation posts have been selected at this stage for the deployment of some 10 observers: Aguenit, Awsard, Bir Lahlou, Mahbes, Meharrize, Mijek, Oum Dreyga, Smara, Tifariti, Zug*". By a letter dated 4 September 1991 (S/23009), the President of the Security Council informed the Secretary-General that the members of the Council endorsed his action and continued to support his efforts.

19. As accepted by both parties and endorsed by the Security Council, the ceasefire agreement between the Frente POLISARIO and Morocco came into effect at 0600 GMT on 6 September 1991. Ever since, the Security Council has consistently reaffirmed the need for full respect for the military agreements reached with MINURSO with regard to the ceasefire.

20. **It is important to underline that, at the time of the coming into effect of the ceasefire, the Territory of Western Sahara legally remained one unified Territory, and the ceasefire agreement was in no way meant to change, alter or otherwise affect the internationally recognised boundaries of the Territory**. This fact was further reaffirmed in the Secretary-General's report (S/1997/742) of 25 September 1997, where **annex II** of the report refers to the ***results of the third round of direct talks*** held in Lisbon, Portugal, on 29 August 1997, and details the terms of the ***compromise agreement on troop confinement*** as agreed by both parties. In paragraph 3 of the compromise both parties agreed that "***This compromise shall in no way change, alter or otherwise affect the internationally recognized boundaries of Western Sahara, and shall not serve as precedent for any argument that such boundaries have changed or been altered***". In its resolution 1131 (1997) of 29 September 1997, the Security Council, *inter alia*, *welcomed* the agreements reached between the parties recorded in the report of the Secretary-General and *urged* "***the parties to continue this cooperation by fully implementing the said agreements and the Settlement Plan***".

21. Prior to the entry into force of the ceasefire on 6 September 1991, however, the existing state of affairs (*status quo ante*) on the ground consisted in the Territory being divided by a 2700 km military wall — lined with over seven million landmines — built by Morocco in the late eighties, with Morocco occupying the western part (General Assembly resolutions 34/37 and 35/19 of 21 November 1979 and 11 November 1980 respectively), while the eastern part being liberated and under the full control of the Frente POLISARIO.

22. The Moroccan military wall (sand wall) was therefore taken as a *de facto* line of separation between the Sahrawi and Moroccan armies pending the full implementation of the Settlement Plan and the holding of the self-determination referendum to determine the final status of the Territory. This was the status quo on the basis of which the ceasefire was accepted by the two parties, and in line of which the United Nations proceeded to establish, as agreed with both parties, the team sites where the military observers of MINURSO would be stationed.

23. It is also important to underline that, since the entry into force of the ceasefire in 1991, the Frente POLISARIO has been administering and developing the Sahrawi Liberated Territories under its control. The military regions and units of the Sahrawi

Liberation Army (SPLA) had already been present in Western Sahara since the start of the liberation war in 1973 against Spanish colonial presence, and they have continued to do so after Morocco's occupation of the Territory in October 1975. Obviously, had the Sahrawi Army not been present, as an undisputed fact, in those areas at the time, there would have been no reason for the ceasefire agreement initially.

24. The Frente POLISARIO has also built vital infrastructure (such as hospitals, schools and water sources, etc.) for the inhabitants of those areas who live in localities spread across the entire Liberated Territories. **For the past 27 years, the units of the Sahrawi Army have also been responsible for providing security day and night and other services when necessary for the MINURSO team sites in those regions. No incident or serious threat to the security of the UN observers in those areas has ever taken place**. The protection task performed by Sahrawi military units, which take place in a vast and arid area, represents the strong commitment of the Frente POLISARIO to the UN peace process since its inception to date.

25. In this regard, the Frente POLISARIO cannot but highlight the persistent practices carried out by Morocco in relation to MINURSO in the occupied territories of Western Sahara, which seriously undermine the credibility, impartiality and functionality of the Mission. These include the fact that MINURSO vehicles still operate with Moroccan licence plates and that Morocco continues affixing its stamps on the passports of MINURSO personnel upon their entry to and exit from Western Sahara, the mission area, in addition to the fact that the Mission does not have any human rights monitoring capacity. The Secretary-General himself has often referred to this issue. In his report (S/2015/246) of 10 April 2015, he noted that "*The perception of MINURSO and United Nations impartiality continues to be affected by the fact that MINURSO vehicles operate with Moroccan licence plates west of the berm*" (para. 40).

26. In this context, the Frente POLISARIO draws attention to the letter addressed to both parties on 25 June 2015 by the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel in which he underlined that "***the practice of stamping the laissez-passers and national passports of MINURSO personnel by either party contravenes the letter and spirit of the long-established practices***", and requested that "***this practice not be pursued***".

27. In a letter dated 9 August 2015, the Frente POLISARIO again drew attention to Morocco's entry procedures as well as its requirement that MINURSO vehicles carry Moroccan licence plates and that mail destined for Sahrawi localities under Moroccan occupation be addressed to Morocco, not Western Sahara, **as violations of the status of the Territory as a Non-Self-Governing Territory**. The Frente POLISARIO called for these and other colonial practices to be brought to an end to restore the credibility of the United Nations and confidence in its neutral role in Western Sahara. In his report to the Security Council of 19 April 2016 (S/2016/335), the Secretary-General noted the "*longstanding issue of MINURSO vehicles operating with Moroccan license plates west of the berm*" (para. 49) and referred to the letter addressed to both parties by the Under-Secretary-General for Legal Affairs of 25 June 2015.

28. Despite the assurances given to the Frente POLISARIO by the UN Department of Peacekeeping Operations (DPKO) that "*these issues have been formally and repeatedly raised with the Moroccan authorities, and that the Secretariat will spare no efforts in continuing to address the matter with the Moroccan authorities and the Security Council alike ... until compliance with these customary principles and*

practices is achieved",[1] Morocco to date continues to pursue these unacceptable practices. **For MINURSO to restore its credibility and impartiality, the Secretariat of the United Nations and the Security Council should ensure that these practices are brought to an end without further delay. They should also ensure that MINURSO operates in line with basic standards and general principles applicable to UN peacekeeping operations as provided for in the Settlement Plan**.

29. In view of the foregoing, the Frente POLISARIO emphasises that the ceasefire remains a fundamental element of an integrated package deal, namely the Settlement Plan, as proposed jointly by the UN and the OAU and accepted by both parties to the conflict and endorsed by the Security Council in its abovementioned resolutions and actions on the matter. For this reason, it cannot be understood or its implementation aspects be addressed outside its proper context and comprehensive legally binding framework as defined by the very terms and purpose of the mutually agreed Settlement Plan.

30. **The Frente POLISARIO, therefore, believes strongly that what is really at stake is not a matter of "understanding", interpreting or adjusting the existing ceasefire agreement and related agreements. It is essentially a matter of adhering to and respecting fully, rigorously and scrupulously the letter and spirit of all military agreements accepted mutually and officially by both parties and approved by the Security Council as contained in the relevant reports of the UN Secretary-General on the matter, including all military agreements reached with MINURSO with regard to the ceasefire**. The integrity and terms of the military agreements as accepted mutually by the two parties to the conflict and endorsed by the Security Council should therefore be safeguarded against any attempt to alter or adjust them unilaterally.

1.2. Military Agreement No. 1

31. As a complementary and integral document to the ceasefire, a military agreement (Military Agreement No. 1) was signed between the Frente POLISARIO Military Forces and MINURSO in December 1997 and between the Royal Moroccan Army and MINURSO in January 1998. The agreement lays down specific guidelines and procedures to be followed by both parties to the conflict in the framework of the implementation of the ceasefire. As a key document regulating the activities related to the UN monitoring of the ceasefire, Military Agreement No. 1 also specifies the rights of MINURSO military observers and the procedures to be followed in the event of a ceasefire violation.

32. As set out in the document detailing the Agreement, "*this is an agreement between the Royal Moroccan Army (RMA) and MINURSO on the one hand and the Frente POLISARIO Military Forces (FPMF) and MINURSO on the other hand*" (para. 1.1). The document further specifies that the purpose of the agreement "*is to lay down the guidelines and procedures to be followed by both parties to the conflict, the RMA and the FPMF, in the framework of the implementation of the cease-fire, which came into effect on 6 September 1991, in order to ensure that no type of hostility is resumed*" (para. 1.3).

33. In terms of its "***geographical definitions***" (para. 2), the document specifies that "*In the framework of this agreement and in order to reach a better understanding, the following definitions are taken for granted:*

[1] See, *inter alia*, the letter addressed to H.E. Mr Brahim Ghali, Secretary-General of the Frente POLISARIO, by Mr Hervé Ladsous, UN Under-Secretary-General for Peacekeeping Operations, dated 30 December 2016.

Buffer Strip (BS). It covers a width of 5 km and runs all along the berm, to the South and East of this line. The berm is not included in the BS.

Restricted Areas (RA): These are two 30 km wide areas, located to the North and the West of the berm for the first area, to the South and East of the berm for the second. The berm is included in the first RA and the buffer strip in the second RA.

Areas with Limited Restrictions (ALR): They are the stretches of land respectively located on the Northern and Western side of the first restricted area, and on the Southern and Eastern side of the second restricted area".

34. As regards the "***restrictions on military activities within the areas***" (para. 3), the document points out the following:

"3.1. Buffer Strip (BF): The entry of RMA and FPMF personnel or equipment, by ground or air, and the firing of weapons in or over this area, is prohibited at all times and is a violation.

3.2. Restricted areas (RA)

3.2.1. The following actions are prohibited in the RA and constitute a violation:

- *Firing of weapons and/or conducting military training exercises, with the exception of physical training activities of unarmed personnel.*
- *Tactical reinforcement, redeployment or movement of troops, HQs/units, stores, equipment, ammunition and weapons, with the exception of the movement of troops who are to go to their ALR to take part in manoeuvres and firing exercises.*
- *Entry of military fighter, training and air reconnaissance aircraft, as well as aerial surveillance. An exception will be made for helicopters used for medical evacuations, VIP liaisons and maintenance flights, providing always that MINURSO be informed in advance or, if this was not possible, at the earliest.*[2]

3.3. Areas with Limited Restriction (ALR)

All normal military activities can be carried out in the ALR with the exception of the reinforcement of existing minefields, the laying of mines, the concentration of forces, the construction of new HQs, barracks and ammunition storage facilities. The RMA and FPMF will also inform the commander of MINURSO if they intend to conduct military exercises in these areas, including the firing of weapons of a calibre above 9mm".[3]

35. These are the terms of Military Agreement No. 1 as it was accepted and signed by both parties and MINURSO, and hence the guidelines and procedures contained therein are of compulsory implementation for all stakeholders in the framework of the abovementioned ceasefire agreement.

36. In his report (S/1998/35) of 15 January 1998, the Secretary-General informed the Security Council of the conclusion of Military Agreement No. 1 between the two parties and MINURSO. In paragraph 18 of his report, the Secretary-General pointed out that "*After extensive consultations, the Force Commander reached a new military agreement with the two parties, which covers the present period until the start of the transitional period under the settlement plan. The agreement lays down guidelines*

[2] Paragraphs 3.2.2 and 3.2.3 of the document specify the actions that are prohibited without prior approval by MINURSO military authorities.

[3] The document also contains items relating to "rights of the Military Observers", "Procedure in case of violation" and "Transmission of the agreement" as set out in paragraphs 4, 5 and 6 respectively.

and procedures to be followed by both the Royal Moroccan Army and the Frente POLISARIO forces in the framework of the ceasefire, to ensure that no hostility of any type is resumed. Any violations of the agreement as well as actions contrary to the spirit of the settlement plan are to be reported to higher authorities".

37. Ever since Military Agreement No. 1 was signed by the two parties and MINURSO, **the Security Council has consistently reaffirmed the need for full respect for the military agreements reached with MINURSO with regard to the ceasefire**. In particular, in its latest resolution 2414 (2018) of 27 April 2018, the Security Council reaffirmed "***the need for full respect of the military agreements reached with MINURSO with regard to the ceasefire***" and called on "***the parties to adhere fully to those agreements***" (OP 6).

38. The Secretary-General has also been informing the Security Council of any violations related to Military Agreement No. 1 and the ceasefire. In his report (S/2008/251) of 14 April 2008, for instance, the Secretary-General informed the Security Council that "*The military component of MINURSO continued to monitor the ceasefire, which has been effective since 6 September 1991, in accordance with military agreement No. 1 between the Royal Moroccan Army and MINURSO, on the one hand, and the Frente Polisario military forces and MINURSO, on the other. The military agreements divide Western Sahara into five areas, including a five-kilometre-wide buffer strip east of the berm, two restricted areas (25 kilometres east and 30 kilometres west of the berm) and two areas of limited restriction that encompass the remainder of Western Sahara. Differing restrictions on military activities and personnel apply in these areas*" (para. 15).

39. Because of the lack of a strong response from the United Nations and the international community regarding the annexationist policies of Morocco in Western Sahara, referred to above, the occupying power has continued to behave with impunity while trying to extend its illegal annexation to the Sahrawi territories to the south and east of its military wall. A prime example in this context was Morocco's attempt to change unilaterally the status quo and impose a *fait accompli* in the Territory on 11 August 2016 by constructing a road across the buffer strip in Guerguerat in Western Sahara.

40. To understand its origin and ramifications, the crisis in Guerguerat should be placed in its context, particularly against the background of the attempt by the Moroccan military authorities to construct an asphalted road across the buffer strip in Guerguerat in March 2001 in violation of the ceasefire and Military Agreement No. 1. In his report (S/2001/398) of 24 April 2001, the Secretary-General pointed out that "*On 15 March 2001, MINURSO was informed by* ***the Moroccan military authorities of plans to begin construction of an asphalted road at the south-western corner of Western Sahara, across the 5-km buffer strip and into Mauritania near Nouadhibou***" (para. 4). He further informed that "*My Special Representative, Mr William Eagleton and the Force Commander, General Claude Buze warned their Moroccan civil and military contacts that* ***the proposed road building raised sensitive issues and involved activities that could be in violation of the ceasefire agreement***" (para. 5).

41. In his report (S/2001/613) submitted to the Security Council on 20 June 2001, the Secretary-General informed again that "*In my last report I indicated that preparations by the Moroccan military authorities for the construction of an asphalted road in the Guerguerat area of Western Sahara, at the south-western corner of the Territory, had been suspended at the request of MINURSO (S/2001/398, para. 4)*" (para. 8). In paragraph 15 of the report, however, the Secretary-General pointed out that "*On 28 April 2001, a MINURSO air reconnaissance patrol reported preparatory work by a civilian company for the beginning of construction of a portion*

of a road in the Guerguerat area (S/2001/398, paras. 4 and 5) [...] *Subsequent MINURSO observation of the site confirmed the suspension of the work and, subsequently, the withdrawal of road construction equipment from the area*" (para. 15). Furthermore, in early 2002, in his report (S/2002/178) of 19 February 2002, the Secretary-General pointed out that "*As the Council will recall, in April and May 2001, Moroccan military authorities had begun preparations for the construction of an asphalted road in the Guerguerat area of Western Sahara, at the south-western tip of the Territory, towards the Mauritanian border. Morocco subsequently suspended this activity at the request of several Member States and MINURSO*" (para. 11).

42. The above-cited paragraphs of the Secretary-General's reports reveal very clearly the origin of the current crisis in Guerguerat, and how the Security Council and MINURSO would act every time Morocco sought to go on with the construction of an asphalted road across the buffer strip. They also establish very clearly that the proposed road building raised sensitive issues and involved activities that could be in violation of the ceasefire agreement. The current crisis in Guerguerat cannot therefore be understood and dealt with outside this broader context and against the background of the new attempt by the Moroccan military authorities in 2016 to go on with the construction of an asphalted road across the buffer strip in Guerguerat. As was made clear in 2001, the construction of any road, asphalted or otherwise, across the buffer strip is — as it was then in 2001 — a violation of the ceasefire and Military Agreement No. 1. It is for this reason, and in view of the UN inaction, that the Frente POLISARIO was left with no other option but to respond to this unilateral, destabilising and dangerous action, which threatened to torpedo the most sensitive pillar that has thus far allowed for maintaining a peaceful situation on the ground, namely the ceasefire and related agreements.

43. In the meantime, the Frente POLISARIO called for urgent UN action to uphold the ceasefire agreement, recalling that, since 11 August, Moroccan forces in Western Sahara had repeatedly crossed the Moroccan military wall in Guerguerat in defiance of Military Agreement No. 1. The Frente POLISARIO underlined that the action "***represented a dangerous precedent aimed at undermining the mandate of the mission and a blatant and serious affront to the decisions and competences of the UN Security Council.***"[4] In particular, the Frente POLISARIO urged the Security Council to call for the immediate cessation of the work undertaken by Morocco and requested MINURSO to install an observation post in the area to calm the situation, while urging the Mission to report, on a timely basis, to the Security Council in accordance with its mandate to monitor the ceasefire. However, despite the repeated calls from the Frente POLISARIO on the Security Council to take action and ensure the integrity of the ceasefire and Military Agreement No. 1, no action was taken in this regard.

44. When Morocco started constructing the road in 2001, the United Nations responded by stressing that the construction of the road "***raised sensitive issues and involved activities that could be in violation of the ceasefire agreement***". In this context, the purported "commercial traffic" that circulates these days through the crossing point made by Morocco through the buffer strip in Guerguerat **is a clear violation of the ceasefire and Military Agreement No. 1**. The crossing point was not negotiated between the two parties, and the Frente POLISARIO did not approve it. Moreover, the "commercial traffic" passes without control and customs inspection through a territory under the full control of the Frente POLISARIO since 1991 as per

[4] See the letter addressed by H.E. Mr Brahim Ghali, Secretary-General of the Frente POLISARIO, to Mr Ban Ki-Moon, Secretary-General of the United Nations, dated 15 August 2016.

the ceasefire agreement, and over which the UN does not recognise any Moroccan sovereignty or administering jurisdiction.

45. In this regard, the Frente POLISARIO emphatically underscores that, upon the entry into force of the ceasefire in 1991, there was no crossing point in Guerguerat or in any other area along the Moroccan military wall. Furthermore, neither the ceasefire agreement of 1991 nor Military Agreement No. 1 of 1997 included any provision providing for opening crossing points for commercial traffic or the like along the Moroccan military wall. **In particular, on the day when the ceasefire came into effect on 6 September 1991, there was no road, asphalted or otherwise, nor was there any commercial traffic passing through the Sahrawi Territory under the control of the Frente POLISARIO towards the Mauritanian border**. The existence of a crossing point through which alleged "commercial traffic" passes across the buffer strip alters unilaterally and seriously the status quo and undermines the very concept and rationale of the ceasefire and related Military Agreement No. 1.

46. For the Frente POLISARIO, the crisis in the buffer strip in Guerguerat, therefore, is only another episode of the Moroccan destabilising strategy vis-à-vis the UN peace process in Western Sahara. It is well known that Morocco has been engaged in a "war of attrition" in its attempt to undermine not only the mandate and functionality of MINURSO, as demonstrated in March 2016, but also the mutually agreed terms and basis on which the ceasefire agreement and related military agreements have been reached with the United Nations and MINURSO.

47. In an interview with the French Magazine *Jeune Afrique* (N° 2992 of 13-19 May 2018), the Moroccan Foreign Minister claimed that the Security Council "*elle rétablit la suprématie de l'accord de cessez-le-feu de 1991 sure les accords militaires conclus plusieurs années plus tard, mais que la Minurso avait tendance à sacraliser et à prendre comme unique référencée*"[5] (page 49). The Moroccan statement clearly defies Security Council resolution 2414 (2018) in which the Council *reaffirmed* "*the need for full respect of the military agreements reached with MINURSO with regard to the ceasefire*" and *called on* "*the parties to adhere fully to those agreements*" (OP 6). It also contradicts Morocco's own position regarding Military Agreement No. 1, which was communicated to the UN Secretariat in August 2017, whereby Morocco stated that "*Military Agreement No. 1 remained viable and a guarantee for the preservation of the ceasefire*" (S/2018/277; para. 5).

48. In March 2016, in the area near Guelta Zemmur, inside the buffer strip, Moroccan troops shot and killed, at about 6 o'clock in the late afternoon, a Sahrawi civilian named Ashmad Djuli who, while following on foot the tracks of his cattle, had entered the buffer strip. Two of his relatives who tried to help him came under fire from the Moroccan soldiers. Unable to move, he bled to death. The Forces of the Frente POLISARIO, out of respect for the restricted zone, could not come to his aid. MINURSO said that it could not overfly the area to help him because it was already night time. They found him dead the next day. The Moroccan soldiers have also killed hundreds of camels belonging to Sahrawis in the areas adjacent to the Moroccan military wall. Moreover, Morocco has rejected the opening of any overland crossing points for expediting the family visits supervised by the UNHCR. **In view of all this and the fact that Morocco illegally prevents the presence of Sahrawi civilians in the buffer strip and the adjacent areas under penalty of death, it is then indefensible and unacceptable by all standards to allow Moroccan troops and**

[5] "*It restores the supremacy of the 1991 ceasefire agreement over the military agreements concluded several years later, but MINURSO would tend to make them sacred and take them as a sole reference*". Unofficial translation.

civilians to be present in and/or cross the buffer strip at any point along the Moroccan military wall, be it for commercial purposes or otherwise.

49. **The Frente POLISARIO thus warns against the very dangerous approach advanced by some quarters in an attempt to "normalise" the occupation and annexation of Western Sahara where the colonial and annexationist practices of the occupying power, Morocco, seem to raise no questions as to the legality of those practices, as if the final status of the Territory had been determined in some way**. In this regard, the Frente POLISARIO further warns that treating Morocco's attempts at furthering its annexationist policies in Guerguerat and any other Sahrawi areas as a "frequent, routine and regular" practice can only lead to encouraging the occupying power to persist in its illegal annexation of parts of the Territory of Western Sahara, which remains a Non-Self-Governing Territory under the responsibility of the United Nations.

50. In view of the above, the Frente POLISARIO underlines that the United Nations and the Security Council must not treat the crisis caused by Morocco in Guerguerat in August 2016 as a stand-alone isolated incident. Rather the situation was the result of the accumulation of several serious developments that the Secretariat of the United Nations and the Security Council could have dealt with in an effective and robust manner. **The hesitation of the Council to respond swiftly and decisively to the eviction by Morocco of MINURSO personnel in March 2016, which seriously compromised the capacity of the Mission to perform its mandate as established by the Security Council, and the Guerguerat incursion clearly emboldened Morocco and reinforced its view that its defiance could go on unchallenged**. The situation is also symptomatic of a stalled UN political process and of decades' long deliberate obstruction, obstinacy and refusal by Morocco to implement Security Council and General Assembly resolutions on Western Sahara. Morocco openly declared its unwillingness to go forward with the Settlement Plan, rejected and continues to reject all negotiation efforts, and violates with impunity the human rights of the Sahrawi people and plunders the natural resources of the Territory.

51. Therefore, the crisis in Guerguerat affects not only the situation in the buffer strip but also the very basis on which the peace process, including the ceasefire and Military Agreement No. 1, had been agreed by both parties and endorsed by the Security Council. **Addressing it effectively will thus entail a comprehensive approach that looks into the underlying causes of the crisis and its implications for the UN peace process and the existing military agreements that sustain the status quo in the Territory and the political process as a whole**.

2. ASPECTS OF THE CEASEFIRE THAT WOULD NEED TO BE ADJUSTED

52. As regards the second question relating to "*what aspects of the ceasefire and related agreements would need to be adjusted?*", **the Frente POLISARIO, and bearing in mind the above, underscores that what all aspects of the ceasefire and related agreements need for the time being is primarily strict and scrupulous implementation, not adjustment or modification**.

53. In this regard, the Frente POLISARIO recalls that, according to international mine action organisations, the Territory of Western Sahara remains one of the most heavily mined areas in the world. It is estimated that there are more than 7 million landmines throughout the Territory in addition to large quantities of explosive remnants of war and cluster munitions. Most of the landmines are buried along the Moroccan military wall, especially in the area that is southeast of the wall, which is considered the largest continuous minefield in the world. The destructive force of landmines affects directly the Sahrawi population, on both sides of the wall, who usually suffers injuries, amputations and death from accidents related to landmines

and explosive remnants of war. It is therefore imperative and very urgent that more focused efforts are made and more resources are allocated to address effectively the scourge of landmines in the whole Territory.

CONCLUSIONS

54. Bearing in mind the above, the Frente POLISARIO emphasises the following conclusions:

I. For the Frente POLISARIO, the ceasefire is an integral part of a package deal, namely the Settlement Plan of 1991, which was accepted officially by both parties, the Frente POLISARIO and Morocco, and endorsed by the Security Council in its relevant resolutions on the matter.

II. As an integral part of the Settlement Plan, the ceasefire agreement cannot be understood as a separate arrangement or an end in itself, but rather as a fundamental element and a preliminary stage in a phased peace plan whose ultimate aim, as mutually accepted by both parties and approved by the Security Council, is to achieve "*a just and definitive solution of the question of Western Sahara in conformity with General Assembly resolution 1514 (XV) by means of a cease-fire and the holding of a referendum without military or administrative constraints to enable the people of Western Sahara, in the exercise of their right to self-determination, to choose between independence and integration with Morocco*" (para. 1 of S/21360 of 18 June 1990).

III. The ceasefire and related agreements remain the fundamental pillar sustaining the ongoing UN peace process and the status quo in Western Sahara pending the determination of the final status of the Territory through the exercise by the Sahrawi people of their inalienable right to self-determination and independence as called for in General Assembly and Security Council relevant resolutions.

IV. In terms of the situation on the ground, in addition to the provisions of the Settlement Plan of 1991 and Houston Agreements of 1997, which were officially accepted by both parties and endorsed by the Security Council, the ceasefire and related agreements remain the main pact binding on both parties and the United Nations. In this regard, all stakeholders should comply scrupulously with their respective obligations, and no double standards or exception should be made as to the conduct of the two parties in relation to the ceasefire and Military Agreement No. 1.

V. The Frente POLISARIO warns that any attempt to undermine in any way or form the ceasefire and related agreements would be seriously perilous for the UN peace process and for the prospects of the initiatives that the Personal Envoy of the Secretary-General, Mr Horst Köhler, intends to make with a view to relaunching the peace process. In other words, any attempt to weaken, alter or modify unilaterally the existing ceasefire and related agreements and the attendant status quo in the Territory would be playing with fire that could have serious consequences for peace and security in the whole region.

VI. The Frente POLISARIO underscores the premise underlying the integrated peace plan of which the ceasefire and related Military Agreement No 1 are fundamental elements, which lies in the fact that the final status of the Non-Self-Governing Territory of Western Sahara is still to be determined through the exercise by its people of their inalienable right to self-determination and independence as called for in General Assembly and Security Council relevant resolutions.

VII. This entails recognising the fact that Morocco's presence in the so-called areas "west of the berm" does not have any internationally recognised legitimacy, and hence Morocco is simply an occupying power of the Territory as clearly established in General Assembly resolutions 34/37 and 35/19 of 21 November 1979 and 11 November 1980 respectively and other relevant resolutions. It also implies recognising that MINURSO is present in the Territory to carry out the explicit mandate with which it has been entrusted by the Security Council, namely the holding of a referendum on self-determination for the people of Western Sahara.

VIII. Failing to recognise this premise and the consequences derived from it has only encouraged the occupying power, Morocco, to continue behaving with impunity and trying to extend its illegal annexation to the liberated territories of our country, as if the final status of the Territory had already been determined. The Frente POLISARIO believes strongly that the United Nations should not mince words in its dealing with the situation on the ground in Western Sahara, and should therefore clearly and forcefully uphold the legal status of the Territory, and preserve its territorial integrity pending a definitive solution to the conflict. Indeed, if the final status of the Territory had already been determined — as Morocco claims and tries to impose — then there would be no UN political process at all and MINURSO would be serving no purpose in the Territory. The "deafening silence" attitude, therefore, is no longer tolerable because of the many issues that are at stake in terms of not only the UN credibility and the prospects of a peaceful and lasting solution to the conflict but also of regional peace and security.

IX. In the Frente POLISARIO's view, the terms of the ceasefire of 1991 and related Military Agreement No. 1 of 1997, which regulate the ceasefire between the Frente POLISARIO and Morocco, are clear and leave no room for selective interpretations or unilateral adjustments. Furthermore, in its latest resolution 2414 (2018) of 27 April 2018, referred to above, the Security Council reaffirmed "*the need for full respect of the military agreements reached with MINURSO with regard to the ceasefire*" and called on "*the parties to adhere fully to those agreements*"(OP 6).

X. The Frente POLISARIO, therefore, believes strongly that what is really at stake is not a matter of "understanding", interpreting or adjusting the existing ceasefire agreement and Military Agreement No. 1 in place since 1991 and 1997 respectively. It is essentially a matter of adhering to and respecting fully, rigorously and scrupulously the letter and spirit of all military agreements accepted mutually and officially by both parties and approved by the Security Council as contained in the relevant reports of the UN Secretary-General on the matter, including all military agreements reached with MINURSO with regard to the ceasefire. The integrity and terms of the military agreements as accepted mutually by the two parties to the conflict and endorsed by the Security Council should therefore be safeguarded against any attempt to alter or adjust them unilaterally.

XI. In this regard, the Frente POLISARIO calls on the Security Council to ensure strong adherence to and full respect for the terms of the ceasefire and related military agreements. The Security Council should also guarantee that MINURSO operates in line with basic standards and general principles applicable to UN peacekeeping operations, as officially agreed by both parties in the Settlement Plan, and approved by the Security Council in its relevant resolutions. The fact that MINURSO vehicles still have to bear Moroccan number plates and that Morocco keeps on affixing Moroccan stamps on the passports of MINURSO personnel upon their entry to and exit from Western

Sahara, as referred to above, is indicative of an unacceptable state of affairs that undermines the impartiality and credibility of the Mission and the United Nations itself.

XII. In closing, the Frente POLISARIO reiterates its strong adherence to the terms of the ceasefire and Military Agreement No. 1, as mutually accepted by both parties and approved by the Security Council, as well as its full cooperation with the UN Secretary-General and his Personal Envoy, Mr Horst Köhler, in their efforts to relaunch the peace process with a new dynamic with a view to achieving a peaceful, just and lasting solution, which will provide for the self-determination of the people of Western Sahara.

Bir Lehlou, 22 August 2018

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Letter dated 24 October 2018 from the Permanent Representative of Namibia to the United Nations addressed to the President of the Security Council

I should be grateful if you would have the present letter and its annex, a letter from the Representative of the Frente POLISARIO at the United Nations, Sidi Omar, containing the views of the Frente POLISARIO on the questions raised by the Secretariat of the United Nations regarding the ceasefire and related agreements in implementation of Security Council resolution 2414 (2018) (see annex), issued as a document of the Security Council.

(*Signed*) Neville **Gertze**
Ambassador
Permanent Representative

18-17760 (E) 091118

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Annex to the letter dated 24 October 2018 from the Permanent Representative of Namibia to the United Nations addressed to the President of the Security Council

Upon instructions from my authorities, and in reference to the note verbale dated 31 July 2018 addressed to me by the Secretariat of the United Nations, I have the honour to transmit herewith to the latter a document containing the views of the Frente POLISARIO on the questions raised by the Secretariat of the United Nations regarding the ceasefire and related agreements (see enclosure).

(*Signed*) Sidi M. **Omar**
Representative of the Frente POLISARIO at the United Nations

Enclosure

THE VIEWS OF THE FRENTE POLISARIO ON THE QUESTIONS RAISED BY THE SECRETARIAT OF THE UNITED NATIONS REGARDING THE CEASEFIRE AND RELATED AGREEMENTS

INTRODUCTION

1. Despite the repeated and unjustified delays of the self-determination referendum for which MINURSO was established in 1991 as well as Morocco's well-documented obstructionism and blatant defiance of Security Council resolutions, the Frente POLISARIO has consistently respected the terms of the ceasefire and related agreements. Moreover, it has engaged constructively in the UN peace process as called for by the Security Council to ensure the right of our People to self-determination and independence.

2. For the past 27 years, Morocco has not only obstructed the full implementation of the Settlement Plan for Western Sahara, which was accepted by both parties, the Frente POLISARIO and Morocco, and approved by the Security Council. It has also engaged in sustained illegal annexationist policies and actions to alter the status quo in the territories of Western Sahara under its military occupation and over which the UN does not recognise any Moroccan sovereignty or administering jurisdiction.

3. Morocco's annexationist practices include, *inter alia*, reinforcing its military presence in the Territory in flagrant contravention of International Law and existing legal agreements concluded under the UN auspices; constructing military barracks, airports, ports and other infrastructures designed to entrench the occupation; holding elections and organising conferences such as Crans Montana Forum in the occupied city of Dajla (Dakhla); transferring thousands of Moroccan settlers to the Territory to change the latter's demographic nature and administrative configuration in contravention of the rules of International Humanitarian Law; and plundering the natural resources of the Territory against the will of its people and in violation of their right to permanent sovereignty over their resources.

4. In the framework of its annexationist policy, in August 2016 Morocco sought to change unilaterally the status quo in the Territory by constructing a road across its military wall and the buffer strip in Guerguerat in Western Sahara in violation of the ceasefire agreement in place since 1991. The dangerous and provocative move, to which the Frente POLISARIO had to respond at the time in the face of the UN inaction, was a clear breach of the terms of the ceasefire and Military Agreement No. 1, and it remains the root cause of the current tension in the whole area.

5. In its resolution 2351 (2017) adopted on 28 April 2017, the Security Council recognised "*that the recent crisis in the buffer strip in Guerguerat raises fundamental questions related to the ceasefire and related agreements*" and encouraged "*the Secretary-General to explore ways that such questions can be resolved*" (OP 3). In line with Security Council resolution 2351 (2017), the UN Secretariat sent notes verbales to both parties on 2 June 2017 proposing to address these questions, including through the deployment of an expert mission to conduct in-depth consultations with the parties. As recognised by the UN Secretary-General in his report (S/2018/277) of 29 March 2018, the Frente POLISARIO accepted the proposal in June. In August, Morocco responded that Military Agreement No. 1 remained viable and a guarantee for the preservation of the ceasefire and, therefore, it considered the proposed mission "untimely" and "inappropriate" (S/2018/277;

para. 5). The Moroccan opposition to the deployment of the proposed UN expert mission demonstrated once again that Morocco was unwilling to address the causes underlying the crisis caused by Morocco itself when it sought to alter unilaterally the status quo in the buffer strip in Guerguerat in violation of the terms of the ceasefire and the related Military Agreement No. 1.

6. In the face of Morocco's opposition to the deployment of the proposed UN expert mission, instead of holding Morocco accountable for such uncooperative attitude, the Security Council reiterated its recognition "*that fundamental questions related to the ceasefire and related agreements remain*" and called upon "*the Secretary-General to interview the parties in an effort to better understand these issues*" (OP 9 of resolution 2414 (2018)).

7. On 31 July 2018, the Frente POLISARIO received a letter from the Secretariat of the United Nations in which the latter referred to resolution 2414 (2018) adopted by the Security Council on 27 April 2018. As a follow-up to paragraph 9 of resolution 2414 (2018), the UN Secretariat requested the views of the Frente POLISARIO on the following questions:

> 1. *What is the Frente POLISARIO's understanding of the ceasefire and related agreements?*
>
> 2. *What aspects of the ceasefire and related agreements would need to be adjusted?*

8. In view of the foregoing, the Frente POLISARIO emphasises the following elements that in their entirety constitute the Frente POLISARIO's reasoning and detailed views on the abovementioned two questions as well as its understanding of the ceasefire and related agreements.

1. UNDERSTANDING OF THE CEASEFIRE AND RELATED AGREEMENTS

9. With regard to the first question relating to "*what is the Frente POLISARIO's understanding of the ceasefire and related agreements*", the Frente POLISARIO underscores the following:

1.1 The ceasefire

10. The Frente POLISARIO is of the firm view that the UN-supervised ceasefire in Western Sahara cannot be understood and addressed without placing it in its proper context and comprehensive legally binding framework as mutually accepted by both parties and endorsed by Security Council relevant resolutions.

11. A key reference document establishing the context of the ceasefire is the report of the UN Secretary-General (S/21360) of 18 June 1990, which contains (Part I) ***Proposals by the Secretary-General of the United Nations and the current Chairman of the Assembly of Heads of State and Government of the Organisation of African Unity aimed at a settlement of the question of Western Sahara accepted in principle by the parties on 30 August 1988*** and (Part II) ***Implementation plan proposed by the Secretary-General pursuant to Security Council resolution 621 (1988) of 20 September 1988***.

12. In the general introduction of the abovementioned report, the Secretary-General pointed out that, "*On 11 August 1988, the Secretary-General of the United Nations and the Special Envoy of the then Chairman of the Assembly of Heads of State and Government of the Organization of African Unity (OAU) presented, in separate meetings, to the parties to the conflict in Western Sahara, namely Morocco and the Frente Popular para La Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) a document ("the settlement proposals") containing proposals for a just*

and definitive solution of the question of Western Sahara in conformity with General Assembly resolution 1514 (XV) by means of a cease-fire and the holding of a referendum without military or administrative constraints to enable the people of Western Sahara, in the exercise of their right to self-determination, to choose between independence and integration with Morocco" (para. 1).

13. Regarding the ceasefire declaration, the Secretary-General underlined, in paragraph 11 of his report (S/21360), that "*In conformity with the relevant provisions of General Assembly resolutions 1514 (XV) and 40/50 and OAU resolution AHG/Res. 104 (XIX), the parties to the conflict in Western Sahara, Morocco and the Frente POLISARIO, undertake to end all acts of hostility and to abide scrupulously by the cease-fire to be declared by the Secretary-General of the United Nations, in consultation with the current Chairman of OAU, at a date and in accordance with the procedures set forth below.*"

14. In paragraph 20 of the report, the Secretary-General further pointed out that "*The Secretary-General of the United Nations, after consulting the Security Council, will appoint a United Nations observer group to be stationed in Western Sahara. The Observer Group [which will be responsible for supervising the cessation of hostilities and the application of the cease-fire] will be established and will function in accordance with the general principles applicable to United Nations peace-keeping operations*". Moreover, he underlined, in paragraph 21, that "*Morocco and the Frente POLISARIO undertake to co-operate fully with the Observer Group and to abide by and observe scrupulously the above cease-fire provisions*".

15. In its resolution 658 (1990), which was adopted unanimously on 27 June 1990, the Security Council approved "*the report of the Secretary-General, transmitted to the Council in accordance with resolution 621(1988) with a view to settling the question of Western Sahara, which contains the full text of the settlement proposals as accepted by the two parties on 30 August 1988 as well as an outline of the plan provided by the Secretary-General in order to implement those proposals*" (OP 2). The Council further called upon "*the two parties to cooperate fully with the Secretary-General of the United Nations and the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity in their efforts aimed at an early settlement of the question of Western Sahara*" (OP 3).

16. Following the submission by the Secretary-General of his report (S/22464) of 19 April 1991, the Security Council unanimously adopted resolution 690 (1991) on 29 April 1991 in which the Council approved "*the report of the Secretary-General, transmitted to the Council in accordance with resolution 658 (1990)*"; called upon "*the two parties to cooperate fully with the Secretary-General in the implementation of his plan as described in his report of 18 June 1990 and amplified in his report of 19 April 1991*"; and decided "*to establish, under its authority, a United Nations Mission for the Referendum in Western Sahara in accordance with the report of 19 April 1991*".

17. By a letter dated 8 July 1991 addressed to the President of the Security Council (S/22779), the Secretary-General informed the Council that, in accordance with paragraph 12 of his report of 18 June 1990 (S/21360), he had written to Morocco and the Frente POLISARIO on 24 May 1991, proposing that a formal ceasefire should commence on 6 September 1991, and that the two parties had accepted that date. By a letter dated 3 September 1991 addressed to the President of the Security Council (S/23008), the Secretary-General transmitted a note regarding the implementation of the ceasefire, while recalling that paragraph 20 of document S/21360 stipulated that the establishment and functioning of the Observer Group would be "*in accordance with the general principles applicable to United Nations peace-keeping operations*".

18. In the annexed ***note regarding the implementation of the cease-fire in Western Sahara***, the Secretary-General pointed out that "*1. In the context of the United Nations plan (S/21360 of 18 June 1990 and S/22464 of 19 April 1991), and bearing in mind the fact that the parties have accepted 6 September as the date of the cease-fire, the Secretary-General intends to deploy, as of that date, military observers to verify the cease-fire and the cessation of hostilities in the areas referred to below; 2. In the wake of recent developments, 10 observation posts have been selected at this stage for the deployment of some 10 observers: Aguenit, Awsard, Bir Lahlou, Mahbes, Meharrize, Mijek, Oum Dreyga, Smara, Tifariti, Zug*". By a letter dated 4 September 1991 (S/23009), the President of the Security Council informed the Secretary-General that the members of the Council endorsed his action and continued to support his efforts.

19. As accepted by both parties and endorsed by the Security Council, the ceasefire agreement between the Frente POLISARIO and Morocco came into effect at 0600 GMT on 6 September 1991. Ever since, the Security Council has consistently reaffirmed the need for full respect for the military agreements reached with MINURSO with regard to the ceasefire.

20. **It is important to underline that, at the time of the coming into effect of the ceasefire, the Territory of Western Sahara legally remained one unified Territory, and the ceasefire agreement was in no way meant to change, alter or otherwise affect the internationally recognised boundaries of the Territory**. This fact was further reaffirmed in the Secretary-General's report (S/1997/742) of 25 September 1997, where **annex II** of the report refers to the ***results of the third round of direct talks*** held in Lisbon, Portugal, on 29 August 1997, and details the terms of the ***compromise agreement on troop confinement*** as agreed by both parties. In paragraph 3 of the compromise both parties agreed that "***This compromise shall in no way change, alter or otherwise affect the internationally recognized boundaries of Western Sahara, and shall not serve as precedent for any argument that such boundaries have changed or been altered***". In its resolution 1131 (1997) of 29 September 1997, the Security Council, *inter alia*, *welcomed* the agreements reached between the parties recorded in the report of the Secretary-General and *urged* "***the parties to continue this cooperation by fully implementing the said agreements and the Settlement Plan***".

21. Prior to the entry into force of the ceasefire on 6 September 1991, however, the existing state of affairs (*status quo ante*) on the ground consisted in the Territory being divided by a 2700 km military wall — lined with over seven million landmines — built by Morocco in the late eighties, with Morocco occupying the western part (General Assembly resolutions 34/37 and 35/19 of 21 November 1979 and 11 November 1980 respectively), while the eastern part being liberated and under the full control of the Frente POLISARIO.

22. The Moroccan military wall (sand wall) was therefore taken as a *de facto* line of separation between the Sahrawi and Moroccan armies pending the full implementation of the Settlement Plan and the holding of the self-determination referendum to determine the final status of the Territory. This was the status quo on the basis of which the ceasefire was accepted by the two parties, and in line of which the United Nations proceeded to establish, as agreed with both parties, the team sites where the military observers of MINURSO would be stationed.

23. It is also important to underline that, since the entry into force of the ceasefire in 1991, the Frente POLISARIO has been administering and developing the Sahrawi Liberated Territories under its control. The military regions and units of the Sahrawi Liberation Army (SPLA) had already been present in Western Sahara since the start of the liberation war in 1973 against Spanish colonial presence, and they have

continued to do so after Morocco's occupation of the Territory in October 1975. Obviously, had the Sahrawi Army not been present, as an undisputed fact, in those areas at the time, there would have been no reason for the ceasefire agreement initially.

24. The Frente POLISARIO has also built vital infrastructure (such as hospitals, schools and water sources, etc.) for the inhabitants of those areas who live in localities spread across the entire Liberated Territories. **For the past 27 years, the units of the Sahrawi Army have also been responsible for providing security day and night and other services when necessary for the MINURSO team sites in those regions. No incident or serious threat to the security of the UN observers in those areas has ever taken place**. The protection task performed by Sahrawi military units, which take place in a vast and arid area, represents the strong commitment of the Frente POLISARIO to the UN peace process since its inception to date.

25. In this regard, the Frente POLISARIO cannot but highlight the persistent practices carried out by Morocco in relation to MINURSO in the occupied territories of Western Sahara, which seriously undermine the credibility, impartiality and functionality of the Mission. These include the fact that MINURSO vehicles still operate with Moroccan licence plates and that Morocco continues affixing its stamps on the passports of MINURSO personnel upon their entry to and exit from Western Sahara, the mission area, in addition to the fact that the Mission does not have any human rights monitoring capacity. The Secretary-General himself has often referred to this issue. In his report (S/2015/246) of 10 April 2015, he noted that "*The perception of MINURSO and United Nations impartiality continues to be affected by the fact that MINURSO vehicles operate with Moroccan licence plates west of the berm*" (para. 40).

26. In this context, the Frente POLISARIO draws attention to the letter addressed to both parties on 25 June 2015 by the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel in which he underlined that "***the practice of stamping the laissez-passers and national passports of MINURSO personnel by either party contravenes the letter and spirit of the long-established practices***", and requested that "***this practice not be pursued***".

27. In a letter dated 9 August 2015, the Frente POLISARIO again drew attention to Morocco's entry procedures as well as its requirement that MINURSO vehicles carry Moroccan licence plates and that mail destined for Sahrawi localities under Moroccan occupation be addressed to Morocco, not Western Sahara, **as violations of the status of the Territory as a Non-Self-Governing Territory**. The Frente POLISARIO called for these and other colonial practices to be brought to an end to restore the credibility of the United Nations and confidence in its neutral role in Western Sahara. In his report to the Security Council of 19 April 2016 (S/2016/335), the Secretary-General noted the "*longstanding issue of MINURSO vehicles operating with Moroccan license plates west of the berm*" (para. 49) and referred to the letter addressed to both parties by the Under-Secretary-General for Legal Affairs of 25 June 2015.

28. Despite the assurances given to the Frente POLISARIO by the UN Department of Peacekeeping Operations (DPKO) that "*these issues have been formally and repeatedly raised with the Moroccan authorities, and that the Secretariat will spare no efforts in continuing to address the matter with the Moroccan authorities and the Security Council alike... until compliance with these customary principles and practices is achieved*",[1] Morocco to date continues to pursue these unacceptable

[1] See, *inter alia*, the letter addressed to H.E. Mr Brahim Ghali, Secretary-General of the Frente POLISARIO, by Mr Hervé Ladsous, UN Under-Secretary-General for Peacekeeping Operations, dated 30 December 2016.

practices. **For MINURSO to restore its credibility and impartiality, the Secretariat of the United Nations and the Security Council should ensure that these practices are brought to an end without further delay. They should also ensure that MINURSO operates in line with basic standards and general principles applicable to UN peacekeeping operations as provided for in the Settlement Plan**.

29. In view of the foregoing, the Frente POLISARIO emphasises that the ceasefire remains a fundamental element of an integrated package deal, namely the Settlement Plan, as proposed jointly by the UN and the OAU and accepted by both parties to the conflict and endorsed by the Security Council in its abovementioned resolutions and actions on the matter. For this reason, it cannot be understood or its implementation aspects be addressed outside its proper context and comprehensive legally binding framework as defined by the very terms and purpose of the mutually agreed Settlement Plan.

30. **The Frente POLISARIO, therefore, believes strongly that what is really at stake is not a matter of "understanding", interpreting or adjusting the existing ceasefire agreement and related agreements. It is essentially a matter of adhering to and respecting fully, rigorously and scrupulously the letter and spirit of all military agreements accepted mutually and officially by both parties and approved by the Security Council as contained in the relevant reports of the UN Secretary-General on the matter, including all military agreements reached with MINURSO with regard to the ceasefire**. The integrity and terms of the military agreements as accepted mutually by the two parties to the conflict and endorsed by the Security Council should therefore be safeguarded against any attempt to alter or adjust them unilaterally.

1.2. Military Agreement No. 1

31. As a complementary and integral document to the ceasefire, a military agreement (Military Agreement No. 1) was signed between the Frente POLISARIO Military Forces and MINURSO in December 1997 and between the Royal Moroccan Army and MINURSO in January 1998. The agreement lays down specific guidelines and procedures to be followed by both parties to the conflict in the framework of the implementation of the ceasefire. As a key document regulating the activities related to the UN monitoring of the ceasefire, Military Agreement No. 1 also specifies the rights of MINURSO military observers and the procedures to be followed in the event of a ceasefire violation.

32. As set out in the document detailing the Agreement, "*this is an agreement between the Royal Moroccan Army (RMA) and MINURSO on the one hand and the Frente POLISARIO Military Forces (FPMF) and MINURSO on the other hand*" (para. 1.1). The document further specifies that the purpose of the agreement "*is to lay down the guidelines and procedures to be followed by both parties to the conflict, the RMA and the FPMF, in the framework of the implementation of the cease-fire, which came into effect on 6 September 1991, in order to ensure that no type of hostility is resumed*" (para. 1.3).

33. In terms of its "***geographical definitions***" (para. 2), the document specifies that "*In the framework of this agreement and in order to reach a better understanding, the following definitions are taken for granted*:

> *Buffer Strip (BS): It covers a width of 5 km and runs all along the berm, to the South and East of this line. The berm is not included in the BS.*
>
> *Restricted Areas (RA): These are two 30 km wide areas, located to the North and the West of the berm for the first area, to the South and East of the berm for*

the second. The berm is included in the first RA and the buffer strip in the second RA.

Areas with Limited Restrictions (ALR): They are the stretches of land respectively located on the Northern and Western side of the first restricted area, and on the Southern and Eastern side of the second restricted area".

34. As regards the "***restrictions on military activities within the areas***" (para. 3), the document points out the following:

"3.1. Buffer Strip (BF): The entry of RMA and FPMF personnel or equipment, by ground or air, and the firing of weapons in or over this area, is prohibited at all times and is a violation.

3.2. Restricted areas (RA)

3.2.1. The following actions are prohibited in the RA and constitute a violation:

- *Firing of weapons and/or conducting military training exercises, with the exception of physical training activities of unarmed personnel.*
- *Tactical reinforcement, redeployment or movement of troops, HQs/units, stores, equipment, ammunition and weapons, with the exception of the movement of troops who are to go to their ALR to take part in manoeuvres and firing exercises.*
- *Entry of military fighter, training and air reconnaissance aircraft, as well as aerial surveillance. An exception will be made for helicopters used for medical evacuations, VIP liaisons and maintenance flights, providing always that MINURSO be informed in advance or, if this was not possible, at the earliest.*[2]

3.3. Areas with Limited Restriction (ALR)

All normal military activities can be carried out in the ALR with the exception of the reinforcement of existing minefields, the laying of mines, the concentration of forces, the construction of new HQs, barracks and ammunition storage facilities. The RMA and FPMF will also inform the commander of MINURSO if they intend to conduct military exercises in these areas, including the firing of weapons of a calibre above 9mm".[3]

35. These are the terms of Military Agreement No. 1 as it was accepted and signed by both parties and MINURSO, and hence the guidelines and procedures contained therein are of compulsory implementation for all stakeholders in the framework of the abovementioned ceasefire agreement.

36. In his report (S/1998/35) of 15 January 1998, the Secretary-General informed the Security Council of the conclusion of Military Agreement No. 1 between the two parties and MINURSO. In paragraph 18 of his report, the Secretary-General pointed out that "*After extensive consultations, the Force Commander reached a new military agreement with the two parties, which covers the present period until the start of the transitional period under the settlement plan. The agreement lays down guidelines and procedures to be followed by both the Royal Moroccan Army and the Frente POLISARIO forces in the framework of the ceasefire, to ensure that no hostility of any type is resumed. Any violations of the agreement as well as actions contrary to the spirit of the settlement plan are to be reported to higher authorities*".

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[2] Paragraphs 3.2.2 and 3.2.3 of the document specify the actions that are prohibited without prior approval by MINURSO military authorities.

[3] The document also contains items relating to "rights of the Military Observers", "Procedure in case of violation" and "Transmission of the agreement" as set out in paragraphs 4, 5 and 6 respectively.

37. Ever since Military Agreement No. 1 was signed by the two parties and MINURSO, **the Security Council has consistently reaffirmed the need for full respect for the military agreements reached with MINURSO with regard to the ceasefire**. In particular, in its latest resolution 2414 (2018) of 27 April 2018, the Security Council reaffirmed "***the need for full respect of the military agreements reached with MINURSO with regard to the ceasefire***" and called on "***the parties to adhere fully to those agreements***" (OP 6).

38. The Secretary-General has also been informing the Security Council of any violations related to Military Agreement No. 1 and the ceasefire. In his report (S/2008/251) of 14 April 2008, for instance, the Secretary-General informed the Security Council that "*The military component of MINURSO continued to monitor the ceasefire, which has been effective since 6 September 1991, in accordance with military agreement No. 1 between the Royal Moroccan Army and MINURSO, on the one hand, and the Frente Polisario military forces and MINURSO, on the other. The military agreements divide Western Sahara into five areas, including a five-kilometre-wide buffer strip east of the berm, two restricted areas (25 kilometres east and 30 kilometres west of the berm) and two areas of limited restriction that encompass the remainder of Western Sahara. Differing restrictions on military activities and personnel apply in these areas*" (para. 15).

39. Because of the lack of a strong response from the United Nations and the international community regarding the annexationist policies of Morocco in Western Sahara, referred to above, the occupying power has continued to behave with impunity while trying to extend its illegal annexation to the Sahrawi territories to the south and east of its military wall. A prime example in this context was Morocco's attempt to change unilaterally the status quo and impose a *fait accompli* in the Territory on 11 August 2016 by constructing a road across the buffer strip in Guerguerat in Western Sahara.

40. To understand its origin and ramifications, the crisis in Guerguerat should be placed in its context, particularly against the background of the attempt by the Moroccan military authorities to construct an asphalted road across the buffer strip in Guerguerat in March 2001 in violation of the ceasefire and Military Agreement No. 1. In his report (S/2001/398) of 24 April 2001, the Secretary-General pointed out that "*On 15 March 2001, MINURSO was informed by* ***the Moroccan military authorities of plans to begin construction of an asphalted road at the south-western corner of Western Sahara, across the 5-km buffer strip and into Mauritania near Nouadhibou***" (para. 4). He further informed that "*My Special Representative, Mr William Eagleton and the Force Commander, General Claude Buze warned their Moroccan civil and military contacts that* ***the proposed road building raised sensitive issues and involved activities that could be in violation of the ceasefire agreement***" (para. 5).

41. In his report (S/2001/613) submitted to the Security Council on 20 June 2001, the Secretary-General informed again that "*In my last report I indicated that preparations by the Moroccan military authorities for the construction of an asphalted road in the Guerguerat area of Western Sahara, at the south-western corner of the Territory, had been suspended at the request of MINURSO (S/2001/398, para. 4)*" (para. 8). In paragraph 15 of the report, however, the Secretary-General pointed out that "*On 28 April 2001, a MINURSO air reconnaissance patrol reported preparatory work by a civilian company for the beginning of construction of a portion of a road in the Guerguerat area (S/2001/398, paras. 4 and 5)* [...] *Subsequent MINURSO observation of the site confirmed the suspension of the work and, subsequently, the withdrawal of road construction equipment from the area*" (para. 15). Furthermore, in early 2002, in his report (S/2002/178) of 19 February 2002, the Secretary-General pointed out that "*As the Council will recall, in April and*

May 2001, Moroccan military authorities had begun preparations for the construction of an asphalted road in the Guerguerat area of Western Sahara, at the south-western tip of the Territory, towards the Mauritanian border. Morocco subsequently suspended this activity at the request of several Member States and MINURSO" (para. 11).

42. The above-cited paragraphs of the Secretary-General's reports reveal very clearly the origin of the current crisis in Guerguerat, and how the Security Council and MINURSO would act every time Morocco sought to go on with the construction of an asphalted road across the buffer strip. They also establish very clearly that the proposed road building raised sensitive issues and involved activities that could be in violation of the ceasefire agreement. The current crisis in Guerguerat cannot therefore be understood and dealt with outside this broader context and against the background of the new attempt by the Moroccan military authorities in 2016 to go on with the construction of an asphalted road across the buffer strip in Guerguerat. As was made clear in 2001, the construction of any road, asphalted or otherwise, across the buffer strip is — as it was then in 2001 — a violation of the ceasefire and Military Agreement No. 1. It is for this reason, and in view of the UN inaction, that the Frente POLISARIO was left with no other option but to respond to this unilateral, destabilising and dangerous action, which threatened to torpedo the most sensitive pillar that has thus far allowed for maintaining a peaceful situation on the ground, namely the ceasefire and related agreements.

43. In the meantime, the Frente POLISARIO called for urgent UN action to uphold the ceasefire agreement, recalling that, since 11 August, Moroccan forces in Western Sahara had repeatedly crossed the Moroccan military wall in Guerguerat in defiance of Military Agreement No. 1. The Frente POLISARIO underlined that the action "***represented a dangerous precedent aimed at undermining the mandate of the mission and a blatant and serious affront to the decisions and competences of the UN Security Council.***"[4] In particular, the Frente POLISARIO urged the Security Council to call for the immediate cessation of the work undertaken by Morocco and requested MINURSO to install an observation post in the area to calm the situation, while urging the Mission to report, on a timely basis, to the Security Council in accordance with its mandate to monitor the ceasefire. However, despite the repeated calls from the Frente POLISARIO on the Security Council to take action and ensure the integrity of the ceasefire and Military Agreement No. 1, no action was taken in this regard.

44. When Morocco started constructing the road in 2001, the United Nations responded by stressing that the construction of the road "***raised sensitive issues and involved activities that could be in violation of the ceasefire agreement***". In this context, the purported "commercial traffic" that circulates these days through the crossing point made by Morocco through the buffer strip in Guerguerat **is a clear violation of the ceasefire and Military Agreement No. 1**. The crossing point was not negotiated between the two parties, and the Frente POLISARIO did not approve it. Moreover, the "commercial traffic" passes without control and customs inspection through a territory under the full control of the Frente POLISARIO since 1991 as per the ceasefire agreement, and over which the UN does not recognise any Moroccan sovereignty or administering jurisdiction.

45. In this regard, the Frente POLISARIO emphatically underscores that, upon the entry into force of the ceasefire in 1991, there was no crossing point in Guerguerat or in any other area along the Moroccan military wall. Furthermore, neither the ceasefire agreement of 1991 nor Military Agreement No. 1 of 1997 included any provision

[4] See the letter addressed by H.E. Mr Brahim Ghali, Secretary-General of the Frente POLISARIO, to Mr Ban Ki-Moon, Secretary-General of the United Nations, dated 15 August 2016.

providing for opening crossing points for commercial traffic or the like along the Moroccan military wall. **In particular, on the day when the ceasefire came into effect on 6 September 1991, there was no road, asphalted or otherwise, nor was there any commercial traffic passing through the Sahrawi Territory under the control of the Frente POLISARIO towards the Mauritanian border**. The existence of a crossing point through which alleged "commercial traffic" passes across the buffer strip alters unilaterally and seriously the status quo and undermines the very concept and rationale of the ceasefire and related Military Agreement No. 1.

46. For the Frente POLISARIO, the crisis in the buffer strip in Guerguerat, therefore, is only another episode of the Moroccan destabilising strategy vis-à-vis the UN peace process in Western Sahara. It is well known that Morocco has been engaged in a "war of attrition" in its attempt to undermine not only the mandate and functionality of MINURSO, as demonstrated in March 2016, but also the mutually agreed terms and basis on which the ceasefire agreement and related military agreements have been reached with the United Nations and MINURSO.

47. In an interview with the French Magazine *Jeune Afrique* (N° 2992 of 13-19 May 2018), the Moroccan Foreign Minister claimed that the Security Council "*elle rétablit la suprématie de l'accord de cessez-le-feu de 1991 sure les accords militaires conclus plusieurs années plus tard, mais que la Minurso avait tendance à sacraliser et à prendre comme unique référencée*"[5] (page 49). The Moroccan statement clearly defies Security Council resolution 2414 (2018) in which the Council *reaffirmed* "*the need for full respect of the military agreements reached with MINURSO with regard to the ceasefire*" *and called on* "*the parties to adhere fully to those agreements*" (OP 6). It also contradicts Morocco's own position regarding Military Agreement No. 1, which was communicated to the UN Secretariat in August 2017, whereby Morocco stated that "*Military Agreement No. 1 remained viable and a guarantee for the preservation of the ceasefire*" (S/2018/277; para. 5).

48. In March 2016, in the area near Guelta Zemmur, inside the buffer strip, Moroccan troops shot and killed, at about 6 o'clock in the late afternoon, a Sahrawi civilian named Ashmad Djuli who, while following on foot the tracks of his cattle, had entered the buffer strip. Two of his relatives who tried to help him came under fire from the Moroccan soldiers. Unable to move, he bled to death. The Forces of the Frente POLISARIO, out of respect for the restricted zone, could not come to his aid. MINURSO said that it could not overfly the area to help him because it was already night time. They found him dead the next day. The Moroccan soldiers have also killed hundreds of camels belonging to Sahrawis in the areas adjacent to the Moroccan military wall. Moreover, Morocco has rejected the opening of any overland crossing points for expediting the family visits supervised by the UNHCR. **In view of all this and the fact that Morocco illegally prevents the presence of Sahrawi civilians in the buffer strip and the adjacent areas under penalty of death, it is then indefensible and unacceptable by all standards to allow Moroccan troops and civilians to be present in and/or cross the buffer strip at any point along the Moroccan military wall, be it for commercial purposes or otherwise**.

49. **The Frente POLISARIO thus warns against the very dangerous approach advanced by some quarters in an attempt to "normalise" the occupation and annexation of Western Sahara where the colonial and annexationist practices of the occupying power, Morocco, seem to raise no questions as to the legality of those practices, as if the final status of the Territory had been determined in some way**. In this regard, the Frente POLISARIO further warns that treating Morocco's

[5] "*It restores the supremacy of the 1991 ceasefire agreement over the military agreements concluded several years later, but MINURSO would tend to make them sacred and take them as a sole reference*". Unofficial translation.

attempts at furthering its annexationist policies in Guerguerat and any other Sahrawi areas as a "frequent, routine and regular" practice can only lead to encouraging the occupying power to persist in its illegal annexation of parts of the Territory of Western Sahara, which remains a Non-Self-Governing Territory under the responsibility of the United Nations.

50. In view of the above, the Frente POLISARIO underlines that the United Nations and the Security Council must not treat the crisis caused by Morocco in Guerguerat in August 2016 as a stand-alone isolated incident. Rather the situation was the result of the accumulation of several serious developments that the Secretariat of the United Nations and the Security Council could have dealt with in an effective and robust manner. **The hesitation of the Council to respond swiftly and decisively to the eviction by Morocco of MINURSO personnel in March 2016, which seriously compromised the capacity of the Mission to perform its mandate as established by the Security Council, and the Guerguerat incursion clearly emboldened Morocco and reinforced its view that its defiance could go on unchallenged**. The situation is also symptomatic of a stalled UN political process and of decades' long deliberate obstruction, obstinacy and refusal by Morocco to implement Security Council and General Assembly resolutions on Western Sahara. Morocco openly declared its unwillingness to go forward with the Settlement Plan, rejected and continues to reject all negotiation efforts, and violates with impunity the human rights of the Sahrawi people and plunders the natural resources of the Territory.

51. Therefore, the crisis in Guerguerat affects not only the situation in the buffer strip but also the very basis on which the peace process, including the ceasefire and Military Agreement No. 1, had been agreed by both parties and endorsed by the Security Council. **Addressing it effectively will thus entail a comprehensive approach that looks into the underlying causes of the crisis and its implications for the UN peace process and the existing military agreements that sustain the status quo in the Territory and the political process as a whole**.

2. ASPECTS OF THE CEASEFIRE THAT WOULD NEED TO BE ADJUSTED

52. As regards the second question relating to *"what aspects of the ceasefire and related agreements would need to be adjusted?"*, **the Frente POLISARIO, and bearing in mind the above, underscores that what all aspects of the ceasefire and related agreements need for the time being is primarily strict and scrupulous implementation, not adjustment or modification**.

53. In this regard, the Frente POLISARIO recalls that, according to international mine action organisations, the Territory of Western Sahara remains one of the most heavily mined areas in the world. It is estimated that there are more than 7 million landmines throughout the Territory in addition to large quantities of explosive remnants of war and cluster munitions. Most of the landmines are buried along the Moroccan military wall, especially in the area that is southeast of the wall, which is considered the largest continuous minefield in the world. The destructive force of landmines affects directly the Sahrawi population, on both sides of the wall, who usually suffers injuries, amputations and death from accidents related to landmines and explosive remnants of war. It is therefore imperative and very urgent that more focused efforts are made and more resources are allocated to address effectively the scourge of landmines in the whole Territory.

CONCLUSIONS

54. Bearing in mind the above, the Frente POLISARIO emphasises the following conclusions:

I. For the Frente POLISARIO, the ceasefire is an integral part of a package deal, namely the Settlement Plan of 1991, which was accepted officially by both parties, the Frente POLISARIO and Morocco, and endorsed by the Security Council in its relevant resolutions on the matter.

II. As an integral part of the Settlement Plan, the ceasefire agreement cannot be understood as a separate arrangement or an end in itself, but rather as a fundamental element and a preliminary stage in a phased peace plan whose ultimate aim, as mutually accepted by both parties and approved by the Security Council, is to achieve "*a just and definitive solution of the question of Western Sahara in conformity with General Assembly resolution 1514 (XV) by means of a cease-fire and the holding of a referendum without military or administrative constraints to enable the people of Western Sahara, in the exercise of their right to self-determination, to choose between independence and integration with Morocco*" (para. 1 of S/21360 of 18 June 1990).

III. The ceasefire and related agreements remain the fundamental pillar sustaining the ongoing UN peace process and the status quo in Western Sahara pending the determination of the final status of the Territory through the exercise by the Sahrawi people of their inalienable right to self-determination and independence as called for in General Assembly and Security Council relevant resolutions.

IV. In terms of the situation on the ground, in addition to the provisions of the Settlement Plan of 1991 and Houston Agreements of 1997, which were officially accepted by both parties and endorsed by the Security Council, the ceasefire and related agreements remain the main pact binding on both parties and the United Nations. In this regard, all stakeholders should comply scrupulously with their respective obligations, and no double standards or exception should be made as to the conduct of the two parties in relation to the ceasefire and Military Agreement No. 1.

V. The Frente POLISARIO warns that any attempt to undermine in any way or form the ceasefire and related agreements would be seriously perilous for the UN peace process and for the prospects of the initiatives that the Personal Envoy of the Secretary-General, Mr Horst Köhler, intends to make with a view to relaunching the peace process. In other words, any attempt to weaken, alter or modify unilaterally the existing ceasefire and related agreements and the attendant status quo in the Territory would be playing with fire that could have serious consequences for peace and security in the whole region.

VI. The Frente POLISARIO underscores the premise underlying the integrated peace plan of which the ceasefire and related Military Agreement No 1 are fundamental elements, which lies in the fact that the final status of the Non-Self-Governing Territory of Western Sahara is still to be determined through the exercise by its people of their inalienable right to self-determination and independence as called for in General Assembly and Security Council relevant resolutions.

VII. This entails recognising the fact that Morocco's presence in the so-called areas "west of the berm" does not have any internationally recognised legitimacy, and hence Morocco is simply an occupying power of the Territory as clearly established in General Assembly resolutions 34/37 and 35/19 of

21 November 1979 and 11 November 1980 respectively and other relevant resolutions. It also implies recognising that MINURSO is present in the Territory to carry out the explicit mandate with which it has been entrusted by the Security Council, namely the holding of a referendum on self-determination for the people of Western Sahara.

VIII. Failing to recognise this premise and the consequences derived from it has only encouraged the occupying power, Morocco, to continue behaving with impunity and trying to extend its illegal annexation to the liberated territories of our country, as if the final status of the Territory had already been determined. The Frente POLISARIO believes strongly that the United Nations should not mince words in its dealing with the situation on the ground in Western Sahara, and should therefore clearly and forcefully uphold the legal status of the Territory, and preserve its territorial integrity pending a definitive solution to the conflict. Indeed, if the final status of the Territory had already been determined — as Morocco claims and tries to impose — then there would be no UN political process at all and MINURSO would be serving no purpose in the Territory. The "deafening silence" attitude, therefore, is no longer tolerable because of the many issues that are at stake in terms of not only the UN credibility and the prospects of a peaceful and lasting solution to the conflict but also of regional peace and security.

IX. In the Frente POLISARIO's view, the terms of the ceasefire of 1991 and related Military Agreement No. 1 of 1997, which regulate the ceasefire between the Frente POLISARIO and Morocco, are clear and leave no room for selective interpretations or unilateral adjustments. Furthermore, in its latest resolution 2414 (2018) of 27 April 2018, referred to above, the Security Council reaffirmed "*the need for full respect of the military agreements reached with MINURSO with regard to the ceasefire*" and called on "*the parties to adhere fully to those agreements*" (OP 6).

X. The Frente POLISARIO, therefore, believes strongly that what is really at stake is not a matter of "understanding", interpreting or adjusting the existing ceasefire agreement and Military Agreement No. 1 in place since 1991 and 1997 respectively. It is essentially a matter of adhering to and respecting fully, rigorously and scrupulously the letter and spirit of all military agreements accepted mutually and officially by both parties and approved by the Security Council as contained in the relevant reports of the UN Secretary-General on the matter, including all military agreements reached with MINURSO with regard to the ceasefire. The integrity and terms of the military agreements as accepted mutually by the two parties to the conflict and endorsed by the Security Council should therefore be safeguarded against any attempt to alter or adjust them unilaterally.

XI. In this regard, the Frente POLISARIO calls on the Security Council to ensure strong adherence to and full respect for the terms of the ceasefire and related military agreements. The Security Council should also guarantee that MINURSO operates in line with basic standards and general principles applicable to UN peacekeeping operations, as officially agreed by both parties in the Settlement Plan, and approved by the Security Council in its relevant resolutions. The fact that MINURSO vehicles still have to bear Moroccan number plates and that Morocco keeps on affixing Moroccan stamps on the passports of MINURSO personnel upon their entry to and exit from Western Sahara, as referred to above, is indicative of an unacceptable state of affairs that undermines the impartiality and credibility of the Mission and the United Nations itself.

XII. In closing, the Frente POLISARIO reiterates its strong adherence to the terms of the ceasefire and Military Agreement No. 1, as mutually accepted by both parties and approved by the Security Council, as well as its full cooperation with the UN Secretary-General and his Personal Envoy, Mr Horst Köhler, in their efforts to relaunch the peace process with a new dynamic with a view to achieving a peaceful, just and lasting solution, which will provide for the self-determination of the people of Western Sahara.

Bir Lehlou, 22 August 2018

United Nations A/73/432–S/2018/911

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Security Council

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General Assembly
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Agenda items 38, 55 and 74

Security Council
Seventy-third year

The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Promotion and protection of human rights

Identical letters dated 11 October 2018 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to convey to you the following information:

The occupying Israeli authorities intend to hold elections on 15 October 2018 for so-called local councils in the occupied Syrian Golan villages of Majdal Shams, Buq'ata, Mas'adah, Ayn Quniyah and Ghajar, in flagrant violation of all relevant United Nations resolutions and the Geneva Conventions concerning territories under the administration of an occupying Power, and contrary to the desire and will of the Syrian Arab population living in the occupied Syrian territories.

Those actions by the occupying Israeli authorities are aimed at implementing their colonialist and racist projects to Judaize the occupied Syrian Golan and an attempt to legalize and consolidate their occupation and apply Israeli law in the occupied Syrian Golan, in clear violation of Security Council resolution 497 (1981), wherein the Council considers the Israeli decision to impose its laws, jurisdiction and administration in the occupied Golan is null and void and without international legal effect.

The Syrian Arab Republic reaffirms that the occupied Syrian Golan is an integral part of its territory and that it will strive, by all available ways and means, to return that occupied territory to the homeland, sooner or later. It also reaffirms it supports for Syrian Arab citizens as they resist Israeli occupation and reject these elections and the decision to incorporate the Syrian Arab Golan into the occupying State.

Moreover, the Government and the people of the Syrian Arab Republic reaffirm that they utterly reject and absolutely condemn this hostile and reckless action. The

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Syrian Arab Republic calls upon all diplomatic missions and international organizations to clearly reject these flagrant Israeli violations of international law and norms, the Charter of the United Nations, the Fourth Geneva Convention and Security Council resolutions.

Syria calls upon the Security Council to act urgently and compel Israel to withdraw from the occupied Syrian Golan and halt its oppression of our people in the occupied Syrian Golan and its illegal settlement policies, in accordance with the relevant United Nations resolutions, in particular Security Council resolution 497 (1981). Israel must also be compelled to stop providing any form of material and moral support to armed terrorist gangs in Syria and to end its policy of holding in contempt international law and the international community.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda items 38, 55 and 74, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

United Nations S/2018/912

Security Council

Distr.: General
12 October 2018

Original: English

African Union-United Nations Hybrid Operation in Darfur

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2429 (2018), by which the Council extended the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) until 30 June 2019 and requested me to report every 90 days on its implementation. The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 11 June until 3 October 2018. It proposes benchmarks and indicators for the eventual exit of the mission, outlines the main challenges to the effective implementation of the mandate and provides an update on the progress made by UNAMID in implementing the recommendations contained in the special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the strategic review of UNAMID (S/2018/530).

II. Conflict analysis

2. The security situation in Darfur remained relatively stable, with the exception of intermittent clashes that continued between Government forces and the Sudan Liberation Army-Abdul Wahid (SLA-AW) mainly in the western and southern Jebel Marra area. While incidents of intercommunal conflict remained low, there was a marginal increase in the number of fatalities from the clashes, as compared with the previous reporting period. Disputes between herders and farmers, in particular internally displaced persons and returnees, over land and resources persisted. The Darfur peace process remained stalled, and the implementation of the Doha Document for Peace in Darfur continued to be slow, despite ongoing efforts to revitalize the process.

Fighting between forces of the Government of the Sudan and armed groups

3. Sporadic clashes continued during the reporting period as Government forces kept up pressure on SLA-AW in an effort to eliminate its remaining elements in the Jebel Marra. At the same time, the onset of the rainy season slowed the advance of Government forces, with SLA-AW using this to conduct some counter-attacks. The Sudan Liberation Army-Minni Minawi (SLA-MM) and the Gibril Ibrahim faction of the Justice and Equality Movement (JEM-Gibril) remained inactive in Darfur. On 12 July the Government extended its unilateral ceasefire until 31 December 2018,

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with SLA-MM, JEM-Gibril and the Sudan Liberation Movement-Transitional Council (SLM-TC) extending their ceasefire on 8 August until 7 November 2018. SLA-AW also declared a three-month unilateral ceasefire from 20 September to 18 December 2018 to allow unhindered humanitarian access to the areas affected by landslides in the Jebel Marra.

4. Clashes were recorded along the Tarantara-Gur Lumbung axis in southern Jebel Marra, where fighting has occurred since March. From 13 to 16 June, Government forces resumed attacks on SLA-AW positions in the area, with clashes lasting for several days and leaving 16 soldiers and three SLA-AW fighters dead. Reports were received of villages being burned, civilians being injured and killed, as well as people being displaced to nearby areas, which could be only partially verified.

5. Another set of clashes took place in the areas around Golo, Central Darfur, where the continuing presence of SLA-AW elements prompted the Government to deploy additional troops on 9 July. On 19 July, SLA-AW ambushed government forces near Deba Nyra, north of Golo, killing 4 soldiers and injuring 10. On 26 July, the Sudanese Armed Forces attacked a SLA-AW position in Komi village, east of Golo, arresting suspected SLA-AW informants and subsequently firing artillery south and south-east of Golo on 30 July and 2 August. On 30 July, SLA-AW attacked government forces in Wadi Toro, Karo and Mara villages, south-east of Golo, as well as the Sudanese Armed Forces checkpoint at Sabanga on 7 August.

6. Elsewhere in the Jebel Marra, on 28 June, Government forces attacked Boulay, the main SLA-AW stronghold in northern Jebel Marra, taking control of the area by early July. Unconfirmed reports were received of Rapid Support Forces attacking and looting Kebe, South Darfur, on 27 July, allegedly targeting local support for the rebels. Five Fur civilians were reportedly killed, among them one woman, and four were injured, including one woman and two children, and an unknown number of civilians were displaced into the surrounding villages. In western Jebel Marra on 29 and 30 July, SLA-AW attacked Golol, which had recently been captured by Government forces, but was unable to regain this strategic location. On 1 August, unverified reports were received of Sudanese Armed Forces and Rapid Support Forces soldiers targeting local support for SLA-AW by assaulting residents of Tarantara, Kawara, Kaiya and Kuilla villages in southern Jebel Marra, which were taken by Government forces in May and June. On 26 August, the Government clashed once again with SLA-AW, in the Gubbo area of southern Jebel Marra, leaving one soldier and two SLA-AW fighters dead and one civilian injured. From 16 to 18 September, another encounter in Gubbo reportedly left 16 Rapid Support Forces soldiers and 6 SLA-AW dead, as well as 37 Rapid Support Forces and 5 SLA-AW injured. Civilians displaced to Kass reported that 10 civilians had been killed in the incident. From 20 to 21 September, Sudanese Armed Forces reportedly attacked SLA-AW positions in Sabun Fag, Gur Lumbung, Kuilla and Amrain South Darfur, with three SLA-AW members killed and one injured.

Militias

7. Attacks against civilians by nomad militiamen in and around Jebel Marra continued alongside the fighting between government forces and SLA-AW. The Northern Rizeigat nomads reportedly continued to harass internally displaced persons and farmers in the Thur area of western Jebel Marra. Incidents were reported of a group of farmers being assaulted and robbed by nomads on horseback south-east of Nertiti on 27 August and of militiamen and Rapid Support Forces personnel assaulting an internally displaced person in Thur on 5 September for alleged support for SLA-AW. At the same time, militias were accused of having participated in attacks by government forces targeting local villagers perceived to be SLA-AW supporters.

Intercommunal conflicts

8. The number of incidents of intercommunal violence remained low, with fewer occurrences as compared with the previous reporting period. There were six reported intercommunal clashes over land and livestock theft, which resulted in 18 fatalities, compared with eight clashes and 20 fatalities from 16 February to 10 June 2018, as covered in S/2018/389 and S/2018/612. The concerted engagement of State authorities, local leaders and security apparatus contributed to minimizing the escalation of potential security situations.

9. Despite the reported marginal decrease in the number of clashes and fatalities, the reporting period saw an increase in tensions between herders and farmers over land and resources, especially in West Darfur, affecting internally displaced persons and returnees in particular, and deterring further returns. On 17 June, a group of Beni Halba clashed with Zaghawa returnees over a land dispute in the Kurti farming area, north-west of El Geneina, leaving at least 10 people wounded. Government forces intervened to restore calm. On 25 July, Fallata and Salamat armed men clashed near Nadeif and Dangol villages, west of Buram, leading to the death of two Fallata and three Salamat men. Government forces were deployed to Nadeif to prevent an escalation of violence but another Salamat man was killed two days later. On 9 August, a group of nomads clashed with Fur farmers at Hebry village, near Feina in eastern Jebel Marra. Four people were killed, an unconfirmed number were injured and over 100 head of livestock were stolen. Villagers fled to the mountains, with a number seeking refuge at the Hashaba internally displaced persons camp. Communities expressed concern that incidents of harassment could increase during the harvest season if appropriate measures were not taken to mitigate them, and there were reports of internally displaced persons being prevented from returning to their villages of origin to prepare for the farming season in West, South and East Darfur.

Violence against civilians and human rights violations

10. The security situation continued to improve across Darfur outside the Jebel Marra area during the reporting period, aided by the deployment of Government security forces associated with the arms collection campaign, as well as efforts by the Government and UNAMID to promote the peaceful resolution of intercommunal disputes. Nevertheless, there were mounting concerns over farm destructions, land occupation, livestock theft and, generally, over harassment, attacks against internally displaced persons and criminality. Displaced persons in camps in Central, East and South Darfur expressed concerns for their security and reported being intimidated by the presence of armed persons in the camps. Weaknesses in the rule of law institutions in Darfur continue to be exploited by criminals, posing a significant challenge to the security of persons and property.

11. The overall human rights situation in Darfur remained fragile. Attacks against civilians, in particular against internally displaced persons, including women and children, continued, albeit on a slightly lesser scale, in an environment of impunity. There has been a reported decrease in human rights incidents during the reporting period. There were 134 cases of human rights violations and abuses involving 304 victims, including 35 minors, documented during the period, as compared with 169 cases involving 508 victims, including 66 minors, during the period from 16 February to 10 June 2018, the period covered by S/2018/389 and S/2018/612. Violations of the right to life accounted for 31 cases involving 72 victims; violations of the right to physical integrity (assault) accounted for 48 cases involving 120 victims; arbitrary arrests and illegal detention accounted for 9 cases involving 13 victims; and abductions accounted for 8 cases involving 11 victims. UNAMID confirmed the occurrence of 55 cases of human rights violations and abuses involving 115 victims,

while the remaining 79 cases, involving 189 victims, are yet to be verified. Of the 134 cases received, 39, involving 100 victims, were reportedly perpetrated by the Sudanese Armed Forces, Military Intelligence, National Intelligence and Security Services and the Rapid Support Forces. Furthermore, 23 cases involving 26 victims were reportedly perpetrated by male civilians, while 70 cases, accounting for 173 victims, were allegedly perpetrated by armed men, often described as Arabs. Two cases involving five victims were attributed to SLA-AW. The authorities arrested 15 suspects in 48 reported cases, but none had been prosecuted at the time of writing. Documented cases do not necessarily reflect actual numbers of violations, owing to access restrictions, as well as low and delayed reporting of cases for fear of reprisal.

12. Sexual and gender-based violence remained a serious concern and restricted women's freedom of movement in areas of return, as well as around internally displaced persons camps, where venturing outside the camps for farming, firewood or water exposes them to risk. There were 38 cases of sexual and gender-based violence documented by UNAMID, including conflict-related sexual violence in the form of rape involving 88 victims, including 24 minors. Incidents of sexual violence generally remain underreported.

13. There were 44 incidents of grave violations affecting 80 children (34 boys; 46 girls) documented by UNAMID during the reporting period, as verified by the country task force on monitoring and reporting. A total of 29 children were killed (13 girls; 16 boys); 20 children were maimed (6 girls; 14 boys); 4 boys were abducted; 22 girls were raped; and 13 schools were affected in Jebel Marra, including 7 schools that were looted and 6 others destroyed.

14. The reporting period witnessed a moderate decrease in crime against internally displaced persons as compared with the previous. They were targeted in 181 crime-related incidents, which led to 27 fatalities. Other civilians were affected by 376 crime-related incidents, resulting in 61 fatalities, including cases of murder (46), armed robbery (41), attempted robbery (10), assault/harassment (124), burglary/break-in (25), looting (1), abduction (8), arson (2), shooting (73), attack/ambush (7), threat (7), others (14), and livestock theft (18). In the previous three-month period, internally displaced persons and other civilians were affected by 180 and 325 crime-related incidents, respectively, resulting in the deaths of 34 internally displaced persons and 91 other civilians.

III. Political situation

15. Following its approval of a new draft electoral law on 11 June, the Council of Ministers of the Sudan submitted the draft to the parliament for further deliberations in October. While the ruling National Congress Party and its affiliates welcomed the draft, stressing its criticality for the conduct of free and fair elections in 2020, many opposition political parties rejected the amendments contained in the document, arguing that the process was not inclusive and lacked the consent of various political interests. On 11 August, the President, Omer al-Bashir, accepted the nomination of his party's high consultative body, the Shura Council, to be its candidate in the 2020 elections. Prior to this, the Council had amended the party's statutes by removing presidential term limits. Opposition parties and some critics within the National Congress Party opposed the move, pointing out that it violates the constitutional provision for only two five-year presidential terms. On 19 August, the opposition coalition, Sudan Call, concluded a meeting in Paris by issuing a statement pledging to carry out an international campaign against the re-election of President al-Bashir in 2020.

16. On 13 September, a new cabinet of 20 ministers was announced. The Ministers of Foreign Affairs, Defence and Presidency Affairs retained their positions, while, notably, Mutaz Musa Abdalla Salim, the former Minister for Water Resources, Irrigation and Electricity, was appointed Prime Minister and Finance Minister. Second Vice-President Hassabo Mohamed Abdul-Rahman, a member of the Rizeigat ethnic group from Darfur, was replaced by Osman Mohamed Yousif Kibir, former Wali of North Darfur and a member of the Berti ethnic group. At the regional level, President al-Bashir, on behalf of the Intergovernmental Authority on Development, convened peace talks between the President of South Sudan, Salva Kiir, and opposition leader Riek Machar in Khartoum. Following negotiations, on 12 September the parties signed the final text of the revitalized peace agreement in Addis Ababa.

17. On 19 September, the African Union Peace and Security Council met to discuss Darfur. In a communiqué issued following the meeting, the Council decided to seriously consider taking action against those who continued to obstruct efforts towards lasting peace and security. It also demanded that SLA-AW and its leader, Abdul Wahid, together with other non-signatory movements, "finalize their ongoing negotiations and join the peace process by December 2018", warning that "failure to do so will lead to strict measures being taken by the Council".

IV. Humanitarian situation

18. Food insecurity continued to be of concern, with the economic crisis and government austerity measures leading to basic food items such as bread being in limited supply in Darfur. This was compounded by the impact of severe dry weather that began at the end of 2017 in North Darfur, and parts of East, West and South Darfur. People living in these states were classified as being in "crisis" (Integrated Food Security Phase Classification phase 3) until September 2018. Initial results of the mid-season assessment indicate that average to above-average rainfall will likely improve the harvest. High inflation has also affected the capacity of service providers and impacted coping mechanisms for internally displaced persons.

19. The onset of heavy rains in other parts of West, South, Central and North Darfur resulted in civilian displacement and destruction of homes and assets. In August alone, heavy rains destroyed many structures in North Darfur, including in Zam camp, where about 2,300 people in one school and the local market were affected. The Government-led Flood Task Force was activated and coordinated a response. Humanitarian partners and the State Ministry of Health provided non-food items. In anticipation of a potential increase in water-borne diseases, partners worked with the Ministry of Health to preposition medicines and medical supplies and undertook capacity-building of medical personnel.

20. The International Organization for Migration registered 11,026 internally displaced persons in South Darfur who had fled fighting between government forces and SLA-AW in eastern Jebel Marra, while 3,010 internally displaced persons were registered in Central Darfur. Verification is ongoing for approximately 5,600 people who reportedly arrived in Golo, (central Jebel Marra), Nertiti, Karo and Thur (western Jebel Marra) and Deribat (eastern Jebel Marra), due to the fighting in the area. This includes some 1,100 people displaced in mid-June into the Golo area, where local authorities have since identified land for relocation. Since January, approximately 14,026 people verified by humanitarian actors have been displaced into various camps and settlements in and around Jebel Marra in South and Central Darfur. In Leiba, eastern Jebel Marra, verification was ongoing for 1,600 newly arrived people. Accessing some areas in Jebel Marra remained a challenge owing to insecurity, compounded by heavy rains which made most roads impassable.

V. Operating environment

Attacks and threats of attacks targeting African Union-United Nations Hybrid Operation in Darfur, United Nations and humanitarian personnel

21. A total of 60 criminal incidents targeting the United Nations and humanitarian personnel were recorded during the reporting period, 46 of which were incidents of intrusion, break-in and theft inside United Nations premises. On 16 July, a UNAMID military personnel was shot and injured by an unidentified armed perpetrator attempting to enter the UNAMID Community Policing Centre in the Salam internally displaced persons camp in South Darfur. On 19 July, Sudanese Armed Forces personnel reportedly assaulted and injured three national staff of the International Medical Corps at Golo Hospital in Central Darfur over an alleged delay in attending to injured Sudanese Armed Forces soldiers. On 5 August, six unidentified perpetrators attempted to stab a member of UNAMID police personnel on patrol at Otash internally displaced persons camp in South Darfur. On 14 September, eight perpetrators fired shots at an observation tower at Nyala "super camp" after attempting to enter the premises. On 12 September, a national staff member of the international non-governmental organiz ion Triangle Generation Humanitarian was abducted, assaulted, robbed and later released by SLA-AW elements in Golo in Central Darfur.

Access restrictions

22. The Government of the Sudan denied access for UNAMID patrols on 18 occasions, mostly citing security reasons. In most cases, the patrols were prevented from verifying reports of conflict in the Jebel Marra area. Access denials were mostly confined to conflict areas in eastern and southern Jebel Marra, with UNAMID verification patrols denied access to the Feina, Gur Lumbung, Kebe, Leiba and Narglah areas. Verification patrols to Golol in western Jebel Marra were repeatedly denied access, on 6, 19 and 29 July.

23. UNAMID did not record any flight denials during the reporting period. The Government has not yet approved the mission's request for direct flights between team sites in different sectors.

24. The mission leadership engaged the Government of the Sudan and local authorities during the reporting period to address the issue of access denials. UNAMID sent a series of notes verbales to the Government requesting its intervention, and the African Union-Joint Special Representative for Darfur held meetings with local and national authorities.

Visas and customs clearance issues

25. Since 11 June 2018, the Government granted 462 visas, including 28 for military personnel, 136 for police personnel, 87 for official visitors, 190 for contractors, 19 for civilian staff and 2 for dependants. A total of 82 visa requests are still being processed, while 121 visa requests have been pending beyond the normal approval period of 15 days, some since April 2017. The Government continues to release food ration containers from Port Sudan. While progress has been recorded in clearing other shipments, nine shipments of contingent and United Nations-owned equipment remain pending. In June 2018, the Government communicated the new tax exemption procedures, according to which the Government will grant Sudan Sea Ports Corporation letters of exemption on a case-by-case basis.

26. UNAMID held technical meetings every month with the Government in Khartoum to tackle pending issues related to visas and clearance of containers. The

Government of the Sudan pledged to cooperate with the mission in addressing these matters and requested to be kept abreast of new developments, both on a case-by-case basis and through periodic review meetings. These issues were also reiterated on 29 September in New York at the 26th meeting of the Tripartite Mechanism comprising representatives of the Government of the Sudan, the African Union, the United Nations and UNAMID. The Tripartite members undertook to continue cooperation in the issuance of visas and facilitation of movement in Darfur to enable UNAMID to effectively discharge its mandate.

VI. Progress towards the achievement of the strategic priorities of the mission

Protection of civilians

27. UNAMID integrated field protection teams conducted a total of 120 patrols in North, West, Central and South Darfur. In North Darfur, the main protection issues identified included harassment of farmers and land occupation reportedly attributed to armed nomads or other unidentified armed men. Community leaders expressed concerns over increased tensions between farmers and herders during the harvest season due to crop destruction by livestock. UNAMID continued to urge community elders to engage constructively with nomad leaders on ways to address the issue of crop destruction and to work together towards the promotion of dialogue and peaceful coexistence. Access restrictions continued to hamper UNAMID monitoring and reporting efforts, making it difficult to independently verify incidents in the conflict areas of the Jebel Marra, including human rights-related incidents and allegations by internally displaced persons against Government security forces.

28. In West Darfur, teams were informed of similar protection challenges. In Nuri village area, the community reported an increased presence of armed settlers harassing and intimidating internally displaced persons from Sisi camp. UNAMID has raised the issue with authorities.

29. In South Darfur, the team visited Digrais return village on 16 July, following reports of an attack, which had caused the death of the *Umda* (traditional chief) and his wife. Returnees reported seven incidents during the previous four months, including cases of assault, intimidation, land occupancy and vandalism. The mission continued to advocate with them to create conditions for effective returns and peaceful coexistence between communities.

30. UNAMID uniformed personnel provided 255 round-trip escorts for humanitarian partners in support of the delivery and monitoring of humanitarian assistance, as well as inter-agency verification assessments and operational activities. In addition, UNAMID continued to provide daily escorts to partners for water-trucking from Kube to the Sortony internally displaced persons gathering site, as well as regular armed escorts for humanitarian supplies between Sortony and Kabkabiyah in North Darfur. UNAMID also provided security for the warehouses and assets of humanitarian agencies. Escorts were provided for humanitarian partners in July to undertake needs assessments in Belle el-Sereif, Leiba, and Mershing, eastern Jebel Marra, where the most critical needs were identified as health, protection and the provision of water, sanitation and hygiene services. Additionally, an inter-agency assessment undertaken in Thur, in western Jebel Marra, suggested that food, shelter and non-food items were the most urgent needs. In Belle el-Sereif, medical services were insufficient, and water and sanitation conditions were poor. In Leiba and Mershing, in eastern Jebel Marra, health facilities and equipment were found to be lacking. While humanitarian partners were able to undertake inter-agency

assessments in some areas, insecurity prevented visits to others affected by ongoing armed clashes.

31. On 22 September, after being delayed for several days due to security concerns, road conditions and mechanical problems, a joint team comprising UNAMID and the United Nations country team completed an assessment of the Tagulei area of South Darfur, where civilians were affected by landslides resulting from heavy rains on 7 September. Humanitarian assistance was provided, and the team confirmed that 16 people had been killed and 4 remained unaccounted for.

32. The UNAMID military component conducted a total of 13,554 patrols, of which 5,283 were for the protection of civilians (3,452 short-range patrols, 299 long-range patrols and 1,532 night patrols). Protection of UNAMID personnel and equipment patrols totalled 7,834 (6,810 routine patrols and 1,024 logistics and administrative escorts). A total of 3,067 visits to villages and 1,768 visits to internally displaced persons camps were conducted during the reporting period. UNAMID police conducted 4,496 patrols, including 1,449 for confidence-building to internally displaced persons camps and 530 for firewood and grass collection, 309 to markets, 1,317 to villages, 714 to towns, 119 to areas of return and 58 to migration routes to respond to the security needs of internally displaced persons, in particular women and children engaged in livelihood activities outside the camps. Formed police units also provided 27 humanitarian escorts to Kalma, Dereige and Otash internally displaced persons camps in South Darfur and Zalingei in Central Darfur.

33. UNAMID continued to engage State authorities on the necessity of ensuring a protective environment and access to justice for vulnerable groups, especially displaced communities, returnees, women and children. The mission undertook 54 monitoring visits to internally displaced persons camps, 15 field missions, 21 visits to places of detention, including trial observation on fair trial standards in 10 cases and 36 follow-up exercises on previously reported cases. The mission also participated in 103 external advocacy meetings with government authorities, local communities and civil society partners, conducted four workshops for prosecutors, including the Special Prosecutor for Crimes in Darfur, on conflict-related sexual violence, and conducted three human rights promotional and outreach activities in local communities.

34. Explosive ordnance remained a concern in Darfur, with four incidents reported in which one person was killed and four were injured. UNAMID continued to address the threats posed by explosive remnants of war through surveys, clearance and disposal tasks. Such operations were conducted in 164 villages across Darfur where mine action teams cleared 48 hazardous areas, located and safely destroyed 1,835 items of unexploded ordnance and disposed of 598,160 rounds of small arms ammunition. In addition, the mission conducted explosive remnants of war risk-awareness training for 34,942 persons, comprising 6,777 men, 6,469 women, 12,354 boys and 9,342 girls, focusing on internally displaced persons in Korma, Golo and Kass, as well as those recently displaced during the fighting in Jebel Marra. Income-generating resources were provided to 30 victims of explosive remnants of war.

35. The mission welcomed the Government's willingness to adopt a framework of cooperation with the United Nations on conflict-related sexual violence under Security Council resolution 2429 (2018) and to discuss the issue, as well as human rights in general, with the United Nations to guide future support for national authorities to enhance prevention and response measures. In a positive development for accountability, a member of the Sudanese Armed Forces personnel who was on trial in El Geneina, West Darfur, for the rape of a 15-year-old girl in January 2018, was convicted on 6 September and sentenced to 20 years' imprisonment.

36. From 4 July to 2 August, UNAMID, in collaboration with the Sudan Disarmament, Demobilization and Reintegration Commission and the United Nations Development Programme (UNDP), supported the demobilization of 1,190 ex-combatants, including 336 women, in El Geneina. The Darfur Ceasefire Commission verified former combatants from West and Central Darfur from movements that had signed the Darfur Peace Agreement and those that had acceded to the Doha Document for Peace in Darfur.

37. Following the Government's completion of the March 2016 action plan to end and prevent the recruitment and use of children, its security forces were delisted from the annexes of the Secretary-General's annual report on children and armed conflict. This important achievement reflects the commitment made by the Government of the Sudan to prevent and end violations against children by its security forces and to build national protection systems for children. However, three non-signatory movements, JEM-Gibril, SLA-AW and SLA-MM, remain listed in the report of the Secretary-General. During the reporting period, UNAMID conducted child protection capacity-building and training sessions benefiting 769 targeted host community members.

38. Pursuant to its mandate to strengthen rule of law in Darfur, the mission trained 30 rural court judges in North Darfur to enhance their capacity to mediate and resolve intercommunal conflicts, including land disputes, resolve a greater number of disputes and produce higher quality decisions. The mission also organized five training sessions on trial monitoring for non-governmental organizations and civil society to enhance their capacity to monitor trials at the Special Court for Darfur Crimes. The mission handed over 12 vehicles, which were distributed to the state prosecution offices and to the Special Prosecutor in Darfur to enable them to service remote areas. In collaboration with the State Directorate of Prisons and Reform, UNAMID provided two six-week training programmes for 180 prison officers on prison operations and a human rights approach to prison management with a focus on the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). UNAMID, in collaboration with the General Directorate of Prisons and Reform and El Fasher University, provided a one-month train-the-trainers course on teaching methodology for 20 prison officers, including 6 women. The mission also hosted a meeting of the United Nations Rule of Law Coordination Group for Darfur to enhance coordination between UNAMID and the United Nations country team in Darfur in line with the transition concept.

39. In collaboration with the Sudanese Ministry of Social Affairs, the mission also organized five workshops to revive the state committees for combating gender-based violence. In West Darfur, UNAMID sensitized 10 members of the Sudanese Armed Forces, the Sudan Police Force and community leaders on the role of the military and police in preventing sexual and gender-based violence. The mission reiterated the need for exempting rape survivors from the need to complete a form at police stations, in order to facilitate speedy medical attention and legal redress.

Support for the Darfur peace process and the implementation of the Doha Document for Peace in Darfur

40. The stalemate persisted in the Darfur peace process, with little progress reported. The Joint Special Representative continued to engage with the Government of the Sudan and the non-signatory movements in support of the African Union High-level Implementation Panel, focusing on achieving a pre-negotiation framework which would facilitate the signing of a cessation of hostilities agreement and the resumption of political negotiations. On 9 July, the Joint Special Representative held a meeting with the Envoy of the Presidency for Negotiation and Diplomatic Communication on Darfur File, Amin Hassan Omer, at which it was recommended

that the Joint Special Representative develop a reformulated text for the framework, after an earlier text was not accepted by the movements in May. In conveying the new text to the parties, the Joint Special Representative stressed the urgent need to complete the pre-negotiation stage and begin earnest discussions on substantive issues in line with the road map. From 13 to 14 August, the Joint Special Representative participated in a meeting of the African Union High-level Implementation Panel in Addis Ababa, to assess the state of the mediation process and develop a way forward regarding the engagements with the movements in the light of the African Union Peace and Security Council deliberations on the peace process.

41. On 31 August to 1 September, the Joint Special Representative attended a meeting organized by the Berghof Foundation in an effort to overcome the difficulties in the pre-negotiation agreement, after which the Joint Special Representative proposed another text to the movements. In their response, the movements stated that the current text watered down their demands for the creation of new and independent implementation mechanisms and therefore suggested reverting the text suggested by the Joint Special Representative in June 2018.

42. The implementation of the Doha Document continued at a slow pace. The Voluntary Return and Resettlement Commission in Central Darfur visited all localities in the state except for Golo and Rockero, assessing the situation, including needs. In South Darfur, the Commission conducted field surveys in 180 out of 232 villages to verify areas of voluntary return and identified 17 villages requiring immediate response. The Darfur Land Commission is in the process of establishing information and data centres in the five Darfur states and Khartoum, equipped with information on land use and suitability, water resources and socioeconomic conditions, among other things. The Commission has already received some of the database equipment for these centres through funding from UNDP, with the expectation that the rest of the equipment will be installed and its staff trained by December 2018.

43. At its thirteenth session in Doha, Qatar, on 11 July, the Implementation Follow-Up Commission of the Doha Document for Peace in Darfur concluded that there was a need to reinvigorate the implementation of the outstanding issues of the Document. It recommended that, in addition to convening regular meetings, UNAMID coordinate a meeting of all Follow-Up Commission partners for a review of the implementation modalities of the Doha Document before the next meeting, scheduled for November 2018. The meeting participants also made a strong appeal to the international community for support for stabilization and development in Darfur. In that regard, they urged UNAMID, the United Nations country team, the European Union and the Department for International Development of the United Kingdom of Great Britain and Northern Ireland to undertake a review of the Darfur Development Strategy with the goal of aligning its objectives with residual issues in the Doha Document. The review is under way.

Mediation of intercommunal conflict

44. UNAMID pursued mediation initiatives focused on early warning, preventive measures, capacity-building and efforts to address the root causes of conflict in collaboration with government authorities, the United Nations country team, community leaders and other relevant institutions. In support of efforts to prevent seasonal communal conflicts and to ensure a successful farming season, UNAMID held 13 meetings in North, Central and West Darfur with the native administrations, peaceful coexistence and agricultural protection committees, farmers and nomadic herders, local authorities and community leaders.

45. The mission provided support and monitored several local peace initiatives. In South Darfur on 9 July, the Masalit and the Fallata signed a peace agreement in Bulbul Tembisco in the presence of the Wali of South Darfur, with logistical and technical support from UNAMID. However, the land issue was not addressed. The communities agreed to allow the resolution of land issues to be led by the state authorities.

46. In East Darfur, the Deputy Nazir of the Ma'aliya informed UNAMID of a meeting between the Vice-President of the Sudan, Hassabo Mohammed Abdul Rahman, and Ma'aliya and Rizeigat leaders in Ed Daein on 24 July to discuss the resumption of the reconciliation process. Leaders expressed their willingness to resolve ongoing land issues. UNAMID continued to engage the leadership of both groups to encourage a peaceful resolution.

47. The mission provided technical support to human rights and transitional justice mechanisms aimed at strengthening local institutions and enhancing the capacity of state governments to protect civilians and promote human rights. On 3 September, UNAMID, UNDP and the Truth, Justice and Reconciliation Commission jointly organized a stakeholders' meeting on the transitional justice programme, which provided an opportunity to strengthen the mandate of the Transitional Justice Working Group, created in January 2016 to provide technical support to the Truth, Justice and Reconciliation Commission. A workshop in El Fasher on understanding conflict-related sexual violence and the related legal framework gathered prosecutors from all five Darfur states, including the Special Prosecutor for Crimes in Darfur.

48. In collaboration with the Ministry of Social Welfare, UNAMID trained 135 women leaders on mediation and negotiation. UNAMID continued to advocate for the inclusion of women in native administrations, peaceful co-existence committees and other decision-making bodies, in line with Security Council resolution 1325 (2000).

49. UNAMID also conducted workshops and dialogue forums in West, North and South Darfur. In West Darfur, the mission conducted four workshops, including one on conflict resolution and reconciliation on 8 and 9 July and three on good governance on 11, 17 and 30 July. The workshops were attended by 200 representatives, including 37 women, and were aimed at enhancing the capacity of community leaders to resolve conflicts, promoting peaceful coexistence, encouraging the participation of women and teaching good governance principles. UNAMID also organized a community dialogue forum on 8 August in Aish Bara return area, West Darfur, which was attended by 70 participants, including 40 women. Recommendations included the rehabilitation of migratory routes and water dams, dialogue and workshops on conflict resolution and the empowerment of peace and reconciliation committees.

50. UNAMID conducted five peace forums in North Darfur on 25 June, 27 June and 2 July and in South Darfur on 4 and 9 July, which were attended by 514 participants, including 35 women. It was agreed that priority should be placed on mitigating tensions and conflicts, including through outreach and dialogue forums, an inclusive arms collection campaign, the demarcation of livestock migratory routes and the implementation of community stabilization projects. Participants emphasized the need for the Government to comprehensively address land issues and enforce the rules governing the farming and migratory seasons.

VII. Implementation of the reconfiguration of the mission

Peacekeeping concept

51. A new mission concept was finalized to guide the mission's efforts under the new mandate and will inform the revision of the military concept of operations, the police concept and the support concept. Integrated planning to implement the closure and handover of team sites, redeployments and troop repatriations directed in the new mandate are under way, in consultation with the Government of the Sudan, the affected troop-contributing countries and other stakeholders. An integrated plan for the units identified for repatriation or relocation has been finalized and orders have been issued to meet the mandated timelines.

52. Based on the authorized strength of 2,500 personnel, an analysis undertaken by the police division determined the breakdown of the police component into 760 individual police officers and 1,740 officers serving in 11 formed police units operating out of mission headquarters, in State Liaison Functions in four Darfur state capitals, in the Khartoum office and the team sites. Adjustments were made to the distribution of individual police officers in order to allow for an increased number at each team site. Those adjustments will come into effect once team sites outside of the new area of deployment are closed. The deployment of individual police officers to Golo has already been undertaken. As part of the analysis, the numbers for each formed police unit were adjusted based on the deployment plan. Communication in that regard was initiated with respective police-contributing countries through the Police Division. The reinforcement of the units will be realized through regular rotations.

53. Following approval by the Fifth Committee of commitment authority for the UNAMID budget until 31 December 2018, a revised budget submission is currently being prepared for the first six months of 2019. The budget submission will reflect, among other changes, planned staffing reductions and the closure of super camps and team sites outside of the greater Jebel Marra area, which are to take effect on 1 January 2019. In line with the new mandate, a reduction of more than one third of the current civilian personnel positions has been proposed in the revised UNAMID budget for 2018/19 and is awaiting approval.

Transition concept

54. As part of the transition concept endorsed by the Security Council in its resolution 2429 (2018) and the African Union Peace and Security Council in its communiqué of 11 June 2018, UNAMID staff members are to be co-located in the offices of the agencies, funds and programmes of the United Nations country team in the capitals of North, South, East and West Darfur states. Discussions have been held with the United Nations country team on these state liaison functions, and staffing arrangements have been made in order to boost the capacity of the country team in line with the needs they have expressed in the four jointly identified priority areas laid out in the mandate.

55. The transition concept endorsed in the new mandate highlights the critical role of resources for the successful transition of UNAMID, as well as for supporting the role of the Government in maintaining security gains. The mission and its partners have the challenge of overcoming the chronic funding and personnel shortfall that the United Nations country team has increasingly faced as Darfur has moved out of the global spotlight. With that in mind, the United Nations and the African Union are pursuing a strategy to increase the visibility of the transition and highlight the crucial importance of funding for preventing relapse into conflict. On 28 September, a high-level event was held during the seventy-third session of the United Nations General

Assembly, co-chaired by the Deputy Secretary-General and the African Union Peace and Security Commissioner. The event brought together representatives of existing and potential donors, the Government of the Sudan, the mission and the United Nations country team, with participants expressing support for the transition concept, underscoring the critical need for appropriate funding, and considering the creation of a "Group of Friends of the Transition in Darfur". The high-level event is to be followed up with a pledging conference to give donors the opportunity to commit to financial support.

Benchmarks and indicators for the exit of the mission

56. Following the recommendation contained in the special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the strategic review of UNAMID (S/2018/530) for an exit of the mission on 30 June 2020 and its liquidation by December 2020, the Security Council, in paragraph 53 of its resolution 2429 (2018) requested that a detailed and clearly benchmarked exit strategy be included in the present report. In line with the Council's request, provisions of the Doha Document for Peace in Darfur could serve as the basis for indicators of achievement for the exit of UNAMID, as well as existing mission benchmarks, as adjusted and presented in annex I to my report of 15 April 2014 (S/2014/279). Additionally, the Council requested a particular focus on those benchmarks and indicators for which the Government of the Sudan has responsibility, with specific attention to the areas of protection of civilians, security sector reform, rule of law, durable solutions and human rights. In the meantime, the mission's strategic priorities, as redefined in paragraph 11 of Council resolution 2429 (2018), constitute the overall framework against which progress will be measured.

57. The new set of indicators reflects the positive changes in the security situation in Darfur and political developments in Sudan since 2014, when UNAMID benchmarks and indicators were most recently adjusted. While the Government of the Sudan is in control of most of the territory, and the reach of the State institutions is extended across Darfur, the role and footprint of UNAMID have decreased considerably. Against this background, while the mission is drawing down and preparing for its exit in the next two years, the proposed indicators of achievement are intended to be (a) Government of the Sudan-centred, (b) measurable and (c) realistic in terms of time frame.

58. As underlined in my letter dated 30 August 2017 addressed to the President of the Security Council (S/2017/747), the Doha Document for Peace in Darfur laid the ground for a number of institutional and legislative reforms, and political and security arrangements, which, if implemented in a sustainable way, may address the main root causes of the Darfur rebellion. This forward-looking approach is underpinning the proposed set of exit indicators of achievement in the two years ahead, leading to the withdrawal of UNAMID. In this context, I would recommend that the joint African Union-United Nations strategic review of UNAMID, to be submitted to the Security Council by 1 May 2019, should also include an assessment on the implementation of the indicators of achievement set out in the present report. In addition, UNAMID should report every 90 days, as part of its periodic reporting to the Security Council, on the implementation progress.

VIII. Observations

59. It is encouraging to note that the security situation in Darfur has continued to improve as intercommunal violence and criminality decreases. This positive trend reinforces the transition concept endorsed in the new mandate for UNAMID and the

United Nations country team, to focus on peacebuilding and development activities outside the Jebel Marra area and to concentrate on addressing the drivers of conflict. Much work remains to be done in this area, in particular with regard to the land issue, where the lack of a comprehensive solution continues to result in disputes over land ownership between internally displaced persons and herders who have occupied vacated lands. The issue remains a barrier to the return of internally displaced persons to their places of origin and an obstacle to peace. In order to successfully address this and other issues at the root of the conflict, it is critical to ensure that funding is available for Darfur both during the transition and in the longer term. In that regard, I urge the donor community to contribute generously towards lasting peace and sustainable development in Darfur.

60. While I am concerned that the Government of the Sudan and the non-signatory movements have yet to agree on a pre-negotiation framework, I wish to commend the mediators for their concerted efforts towards bringing the parties to the negotiation table. I call upon the parties to demonstrate commitment in reaching a final agreement on substantive issues. We must recognize that only a political settlement to the conflict will bring the people of Darfur closer to durable peace.

61. Comprehensive implementation of the Doha Document for Peace in Darfur, in particular in areas relating to compensation and the return of internally displaced persons and refugees, land and other natural resources, remains crucial. It is regrettable, however, that the residual Darfur Regional Authority commissions are yet to become fully functional. The progress of their deployment has been constrained by lack of resources, both human and financial. In this regard, I urge the international community to provide adequate funding and technical support to these commissions to enable them to move forward on the critical work of the implementation of the Doha Document for Peace in Darfur.

62. I remain deeply concerned about the humanitarian situation in the Jebel Marra area, resulting from the clashes between Government forces and SLA-AW. I am encouraged by the Government's decision to allow humanitarian access to rebel-held areas in the Blue Nile and South Kordofan, and I continue to urge the parties to cease hostilities and allow unhindered access to UNAMID and humanitarian actors to protect and provide assistance to the affected populations in Darfur.

63. Even as the security situation improves and UNAMID continues to draw down, we must recognize that work remains to be done with regard to the mission's peacekeeping efforts in the Jebel Marra and its transition activities focused on the drivers of conflict across Darfur. I would like to take this opportunity to call upon the Government of the Sudan to extend to the mission all the support necessary for the successful implementation of its mandate, including facilitating access for the mission and humanitarian partners to those pockets of the Jebel Marra still affected by armed conflict. I would also like to highlight the importance of the Government, the mission and other stakeholders working together in pursuit of the shared goal of ensuring a smooth and dignified return, reintegration and resettlement of internally displaced persons and refugees.

64. In conclusion, I should like to thank the Joint Special Representative, Jeremiah Nyamane Mamabolo, and all UNAMID personnel, the United Nations country team and the humanitarian community, who continue to work diligently to improve the lives of the people of Darfur. I commend my Special Envoy for the Sudan and South Sudan, Nicholas Haysom, and the former Presidents of South Africa and Nigeria, Thabo Mbeki and Abdulsalami Abubakar, of the African Union High-level Implementation Panel, for their steadfast commitment to sustainable peace and stability in the Sudan.

Annex I

Proposed benchmarks and indicators of achievement

I. The protection of civilians; monitoring and reporting on human rights, sexual and gender-based violence and grave violations against children; the facilitation of humanitarian assistance; and the safety and security of humanitarian personnel

Protection of civilians

• Sustained security for internally displaced persons in camps, temporary settlements and in areas adjacent to camps, including during livelihood activities.	
• Reduction in physical attacks on civilians and internally displaced persons, especially women and girls.	
• No increase in conflict-related displacement.	
• Cessation of conflict-related sexual violence and grave violations against children by all parties to the conflict, including the Sudanese Armed Forces, the Sudan Police Force, Rapid Support Forces and other government-affiliated forces.	90-day update
• The Government, in coordination with relevant United Nations entities, to adopt specific measures and implement time-bound commitments to prevent and respond to conflict-related sexual violence.	
• Survivors of sexual violence are able to access medical, psychological, legal and socioeconomic services.	
• Directives of the Humanitarian Aid Commission on safe and unhindered humanitarian access are in place and implemented in a timely manner.	January 2019
• The Government of the Sudan to ensure that the African Union-United Nations Hybrid Operation in Darfur (UNAMID) has unfettered access throughout Darfur, including to the areas from which it has withdrawn.	90-day update
• The Government to provide a suitable environment for the return of internally displaced persons and refugees.	

Durable solutions

• Internally displaced persons are ensured freedom of movement, including for market, farming and livelihood activities, in a safe and secure environment.	90-day update
• Mechanisms are established for compensation relating to the loss, damage and arbitrary or unlawful deprivation of land.	June 2019
• An adequate number of rural courts, district courts, prisons, prosecution offices and police stations in areas key to returnees and/or internally displaced person resettlement are performing at least basic functions.	June 2019
• Crimes committed against internally displaced persons are routinely reported to the police and, where applicable, prosecuted.	90-day update
• Basic services are available in areas of return and in selected host communities to encourage more returnees.	

• Voluntary Return and Resettlement Commission established and functional with adequate funding and staffing.	
• Mechanisms are established for internally displaced persons and refugees to contribute to the planning and management of their return, resettlement or reintegration, in line with provisions of the Doha Document for Peace in Darfur.	
Human rights	
• The Darfur office of the National Human Rights Commission is functional.	
• The recommendations of the universal periodic review, which were accepted by Sudan, are implemented.	
• At least 50 per cent of cases of human rights violations reported to the Government are addressed by law enforcement in accordance with national laws and international human rights standards.	
• The Government is engaged with the Office of the United Nations High Commissioner for Human Rights on the establishment of a country office with a full mandate for human rights protection and promotion.	90-day update
• The Government to sustain preventive efforts with regard to grave violations against children.	
• Mechanisms are in place to identify, verify, release and reintegrate children associated with armed forces and groups (including the establishment of local child protection committees and networks) in a timely manner.	
• Grave violations against children are systematically investigated and perpetrators are held accountable in accordance with Sudanese legislation.	
Rule of law	
• A Truth, Justice and Reconciliation Commission is established and functional.	January 2019
• A Sudan Police Force presence is established in all localities, also ensuring access to policing in rural areas through mobile units or through the establishment of substations.	June 2019
• The Sudan Police Force is trained to provide human rights-based policing services without the assistance of UNAMID in all areas of Darfur, with a special focus on community-oriented policing, as well as the handling of sexual and gender-based violence and child protection-related cases, including in internally displaced person camps and along migration routes.	
• The Sudan judicial system investigates and prosecutes serious offences, including conflict-related sexual violence and sexual and gender-based violence.	90-day update
• The Government to ensure transparency for the cases prosecuted by the Special Prosecutor for Crimes in Darfur.	

Security sector reform

• Legal framework in place for the disarmament of militias.	June 2019
• Voluntary civilian arms control programme fully operational in all states.	June 2019
• The Government comprehensive plan for the disarmament and demobilization of signatory and non-signatory armed groups operating in Darfur is fully operational.	90-day update
• The Government to make efforts towards lifting the state of emergency in Darfur, in particular in areas where there is no active fighting.	

II. Support for the mediation of intercommunal or other local conflict that could undermine the security situation, including through measures to address its root causes, in conjunction with the Government of the Sudan, the United Nations country team and civil society

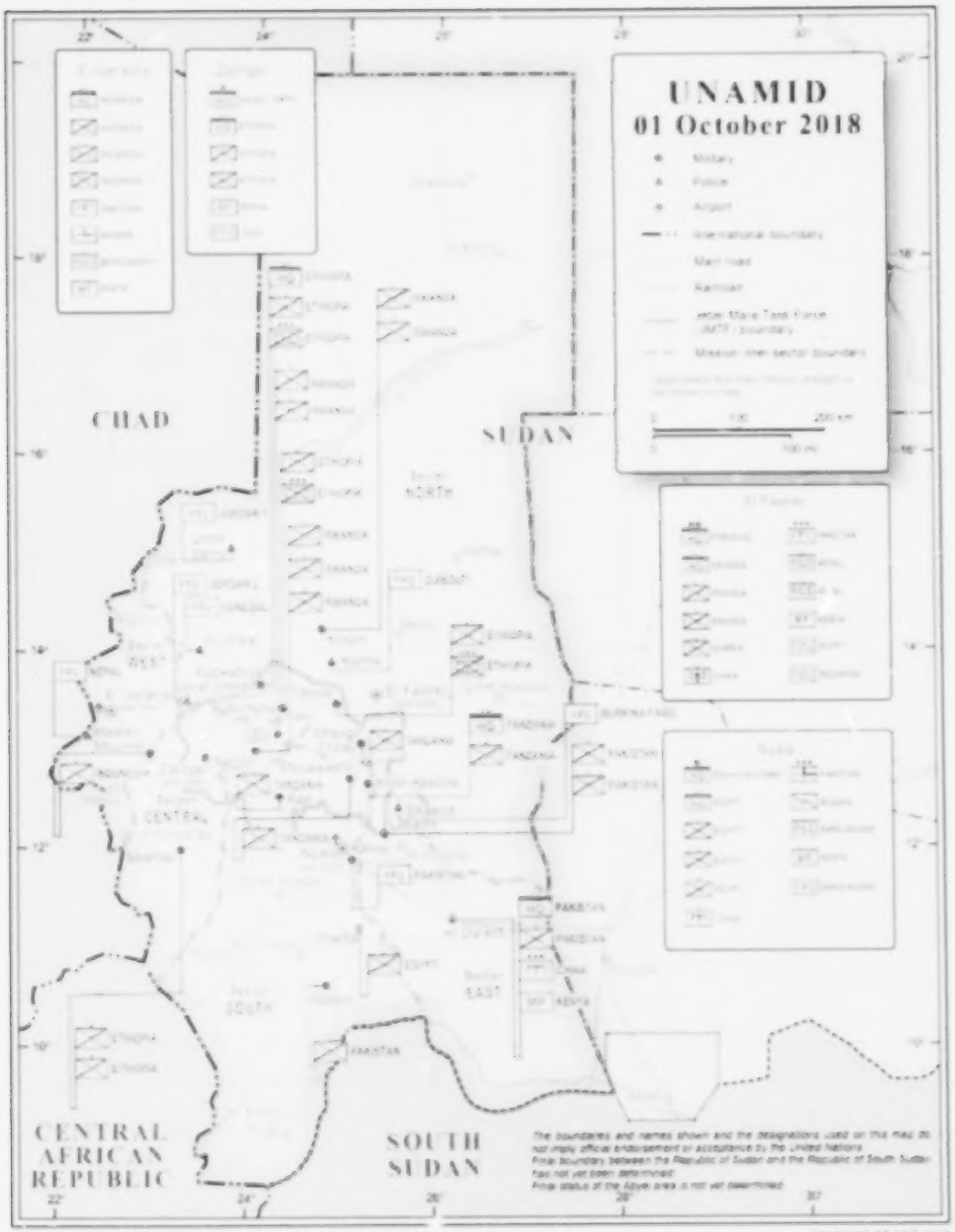
• Joint coordination committees established and functioning in all five Darfur states.	January 2019
• Native administration proactively engages communities to defuse tensions, mediate conflicts and promote reconciliation.	
• Local authorities support the return of internally displaced persons and their reintegration into the community.	90-day update
• Seasonal transhumance is consensually regulated by local authorities and the communities concerned.	
• Reduction in the number of incidents, casualties and new displacement resulting from intercommunal conflict.	
• Establish legal provisions in all Darfur states on the rights to land and its use (*hawakeer*).	June 2019
• Demarcation of migratory routes and rehabilitation of *rihoods* (natural water points) and *haffirs*.	June 2019
• Rural courts are established and functioning across Darfur.	
• Transitional justice mechanisms, including the Special Court for Darfur Crimes and the Truth, Justice and Reconciliation Commission, are fully functional and operating in accordance with international human rights standards and best practice.	90-day update
• Land use mapping database is deployed and operational across Darfur states.	June 2019
• Darfur Land Commission is established and functional.	June 2019
• Darfur states are represented in the National Petroleum Commission.	90-day update
• A legal framework is in place for oil-producing states in Darfur to benefit from 2 per cent of oil revenue.	December 2019

III. Mediation between the Government of the Sudan and non-signatory armed movements on the basis of the Doha Document for Peace in Darfur

- The Government demonstrates commitment to participate in direct negotiations on the basis of the Doha Document for Peace in Darfur.
- The Government demonstrates commitment to conclude a comprehensive ceasefire and inclusive cessation of hostilities.
- Ceasefire Commission established and meeting on a regular basis.
- Joint Commission established and functioning.
- Darfur Security Arrangements Implementation Commission is established and operational. 90-day update
- Remaining phases of the Darfur Internal Dialogue and Consultation process are completed and its outcomes widely disseminated and considered in the constitutional review process.
- The post-Darfur Regional Authority institutions, including the Darfur Peace Follow-up Office, are functional.
- The Doha Document for Peace in Darfur Commissions and the Fund are staffed and operational in all Darfur states.

Annex II

Map


UNAMID
01 October 2018
CHAD
SUDAN
CENTRAL AFRICAN REPUBLIC
SOUTH SUDAN
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.
Final boundary between the Republic of Sudan and the Republic of South Sudan has not yet been determined.
Final status of the Abyei area is not yet determined.

United Nations S/2018/913

Security Council

Distr.: General
8 October 2018

Original: English

Report of the Secretary-General concerning the credentials of the alternate representatives of Sweden on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 8 October 2018 from the Permanent Representative of Sweden to the United Nations stating that Mr. Victor Sandberg and Ms. Agnes Julin have been appointed alternate representatives of Sweden on the Security Council.

In the opinion of the Secretary-General, that letter constitutes adequate provisional credentials.

18-17033 (E) 151018

Please recycle

United Nations S/2018/914

Security Council

Distr.: General
15 October 2018
English
Original: Russian

Letter dated 12 October 2018 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith information bulletins from the Russian Federation Ministry of Defence regarding the status of implementation of the memorandum on the creation of de-escalation areas in the Syrian Arab Republic for 11 and 12 October 2018 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) D. **Polyanskiy**
Chargé d'affaires a.i.

18-17118 (E) 171018 171018

Please recycle

Annex to the letter dated 12 October 2018 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

Information bulletin from the Russian Federation Ministry of Defence regarding the status of implementation of the memorandum on the creation of de-escalation areas (11 October 2018)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the memorandum on the creation of de-escalation areas in the Syrian Arab Republic, signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The number of violations by illegal armed groups active in the Idlib de-escalation area has not decreased.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported 12 incidents of gunfire: 8 in Aleppo Governorate and 4 in Ladhiqiyah Governorate.

The Turkish representative office has not reported any violations.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours, the Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic has carried out two humanitarian operations: in Malikiyah, Aleppo Governorate, 450 food parcels with a total weight of 1.95 tons were delivered; and in Qasr Wardan, Hama Governorate, 450 food parcels with a total weight of 1.95 tons were delivered.

In total, 1,961 humanitarian operations have been carried out. The total weight of humanitarian cargo delivered is 3,066.5 tons.

Reconciliation of opposing sides

No ceasefire agreements have been signed over the past 24 hours.

The number of populated areas that have joined the reconciliation process is 2,518.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.

Information bulletin from the Russian Federation Ministry of Defence regarding the status of implementation of the memorandum on the creation of de-escalation areas (12 October 2018)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the memorandum on the creation of de-escalation areas in the Syrian Arab Republic, signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The number of violations by illegal armed groups active in the Idlib de-escalation area has not decreased.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported seven incidents of gunfire: five in Ladhiqiyah Governorate and two in Aleppo Governorate.

The Turkish representative office has not reported any violations.

Provision of humanitarian aid to the population of the Syrian Arab Republic

The Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic has carried out one humanitarian operation over the past 24 hours: in Kudnah, Qunaytirah Governorate, 300 food parcels with a total weight of 1.29 tons were delivered.

In total, 1,962 humanitarian operations have been carried out. The total weight of humanitarian cargo delivered is 3,067.7 tons.

Reconciliation of opposing sides

No ceasefire agreements have been signed over the past 24 hours.

The number of populated areas that have joined the reconciliation process remains unchanged at 2,518.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.

United Nations A/73/437–S/2018/915

General Assembly
Security Council

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16 October 2018

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General Assembly
Seventy-third session
Agenda item 45
Question of Cyprus

Security Council
Seventy-third year

Letter dated 11 October 2018 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 8 October 2018, addressed to you by the Representative of the Turkish Republic of Northern Cyprus, İsmet Korukoğlu (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 45, and of the Security Council.

(*Signed*) Feridun H. **Sinirlioğlu**
Permanent Representative

18-17232 (E) 241018

Please recycle

Annex to the letter dated 11 October 2018 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 3 October 2018, addressed to you by the Deputy Prime Minister and Minister for Foreign Affairs of the Turkish Republic of Northern Cyprus, Kudret Özersay (see enclosure).

(*Signed*) İsmet **Korukoğlu**
Representative

Enclosure

I have the honour to bring to your kind attention the recent attempts by the Greek Cypriot administration of Southern Cyprus to perpetuate the isolation of the Turkish Cypriot people in all fields of life, which is poisoning the atmosphere between the two peoples on the island, particularly at a time when you and the Security Council are calling upon both sides to proceed with confidence-building measures.

In this regard, the Greek Cypriot side has been aggressively pursuing a policy of defamation and misinformation regarding the Turkish Cypriot side. As a recent example, a series of letters have been sent to the maritime authorities of various countries in order to prevent any maritime interaction/trade between these countries and the Turkish Republic of Northern Cyprus. The Greek Cypriot side has gone so far as to unilaterally deem our sea ports "illegal" and has been encouraging the said countries to issue penalties against their own shipping companies for cooperating in any way with or travelling to ports in North Cyprus. As is known, the ports in the Turkish Republic of Northern Cyprus have not been deemed illegal according to international law by any country or international organization, including the European Union.

In this connection, I would like to refer to a statement dated 17 October 2017 by the then European Union Commissioner for Enlargement, Olli Rehn, which reads:

> The Commission is aware that in 1974, the "government of the Republic of Cyprus" declared the sea ports in the northern part of Cyprus (Famagusta, Kyrenia, Karavostassi) prohibited and closed for all vessels. This was a unilateral decision of the Republic of Cyprus, with consequences under domestic Cypriot law but with no apparent consequences under international law. In other words, it is the Commission's understanding that there is no prohibition under general international law to enter and leave sea ports in the northern part of Cyprus. Furthermore, neither the United Nations Security Council nor the European Community has ever imposed a trade embargo with respect to those areas.

As another concrete example, the Greek Cypriot side has been targeting universities that have established academic ties with universities in the Turkish Republic of Northern Cyprus in an effort to discourage any academic cooperation. The most recent example is the letter from the Greek Cypriot Ministry of Education and Culture addressed to University of Oxford in the United Kingdom, imploring the university to reconsider the recent academic exchange agreement it had reached with the Eastern Mediterranean University in Northern Cyprus. As regards bilateral agreements with universities, it is a well-known fact that many of our universities have cooperation agreements, exchange programmes and other arrangements with esteemed international universities in the United States, Europe and even the Far East. Graduates from our universities move on to higher education, as well as employment, in all parts of the world.

Most recently, the Greek Cypriot Administration has expressed sheer outrage over the intended participation of members of the Cyprus Symphony Orchestra, as well as its artistic director and first violinist from Germany, in the music festival being organized in different venues in Northern Cyprus, including Bellapais Monastery, Girne Amphitheatre and Salamis Amphitheatre, between 21 September and 16 November 2018. Several Greek Cypriot members of Parliament have gone so far as to ask that the Greek Cypriot Ministry of Foreign Affairs take measures to "set the musicians straight", despite the fact that they would be participating in their personal capacity alongside their fellow Turkish Cypriot musicians. The matter has been heavily debated in the Greek Cypriot Parliament, and the musicians have even been

publicly named and shamed in the Greek Cypriot press. Numerous members of Parliament have called for their dismissal from the orchestra, and they must now face the orchestra board to provide an explanation for their intended participation. As a result, the said musicians had to withdraw from the festival, and thus several concerts had to be cancelled. This is a clear demonstration of intolerance towards the Turkish Cypriots, even in the fields of culture and art, and constitutes an utterly anachronistic approach in this day and age.

Other examples of obstructionist initiatives of the Greek Cypriot side span from the field of health, to that of culture, to the freedom of travel of individuals to Northern Cyprus. The attached non-exhaustive list provides more examples of the said impediments imposed by the Greek Cypriot side, and provides an overview of the intolerance concerning any interaction of the Turkish Cypriot side with the rest of the world.

These initiatives clearly show that the Greek Cypriot side cannot even tolerate the easing of the lives of the Turkish Cypriots in the field of economy, just as they cannot tolerate our interactions in the political, cultural, sporting and academic fields. It is highly hypocritical and far from sincere to claim, on the one hand, to be committed to taking steps as regards the confidence-building measures while, on the other hand, attempting to isolate the Turkish Cypriot people, with a view to undermining them in all walks of life.

I avail myself of this opportunity to put on record the above-mentioned facts in the hope that you will call upon the Greek Cypriot Administration of Southern Cyprus to cease these negative steps, which destroy any confidence there may be between the two sides and their peoples. No doubt, abandoning such steps will be a confidence-building measure in itself.

Kudret **Özersay**
Deputy Prime Minister
Minister for Foreign Affairs

Attachment

Recent obstructionist actions of the Greek Cypriot side

1. The Greek Cypriot side has sent letters to the maritime administrative authorities of various countries which included allegations regarding the sea ports in North Cyprus being "illegal" and closed to international navigation. The Greek Cypriot side also claims that ships that come to the ports of Northern Cyprus are breaching international law and urges the maritime authorities to issue circulars and fine the companies and ship owners that have come to those ports.

2. The Greek Cypriot Ministry of Education and Culture has sent a letter to the University of Oxford in England regarding the university's cooperation with the Eastern Mediterranean University in Northern Cyprus on women's health research, which includes allegations regarding the status of the universities in Northern Cyprus.

3. The Cyprus Dental Association has sent a letter to the Executive Board of the European Regional Organization of the International Dental Federation regarding objections towards an event that was held in Northern Cyprus, Kyrenia, in March 2018, hosted by the Northern Cyprus Association of Dental Students, which is a member of the International Association of Dental Students. The letter included a number of groundless claims and allegations about Northern Cyprus and the Cyprus issue in general, alleging that the Turkish Republic of Northern Cyprus unilaterally declared its independence and is an illegal State, while asserting Security Council resolutions as proof of such illegality, underlining a lack of accreditation of universities in the Turkish Republic of Northern Cyprus and of the Northern Cyprus Association of Dental Students by the Greek Cypriot side and questioning events being held by international organizations in areas that the Greek Cypriot side claims are "under occupation".

4. A professor from a university in Cairo, who was supposed to give a lecture in a university in the Turkish Republic of Northern Cyprus, was prevented from crossing to the North as he flew from Cairo to Larnaca. He was detained in a hotel in Larnaca without being given any reason.

5. A note verbale was distributed on 4 June 2018 by the Greek Cypriot Ministry of Foreign Affairs to the foreign missions in the South, urging them to refrain from visiting touristic or historical sites in the North, such as Othello Castle, and even other historic sites which have been restored by the bicommunal Technical Committee on Cultural Heritage with funding from the European Union. This is unacceptable as it intends to restrict the freedom of movement of individuals by using them to further impose the Greek Cypriot political agenda, namely the isolation of the Turkish Cypriots.

6. The Greek Cypriot policy of preventing students and teachers from visiting schools in the North as envisaged in the IMAGINE project.

7. The attitude of halting the work of the Bicommunal Ad Hoc Committee on European Union Preparation, which was set up to prepare the Turkish Cypriots for European Union acquis.

8. The arson attack on the warehouses of a Greek Cypriot trader who bought potatoes from Turkish Cypriot producers.

9. The recurrent violent attacks by the supporters of the far-right ELAM political party against the Turkish Cypriots and their cars, where the perpetrators have never been brought to justice.

10. The banning of the purchase of gas and other household items from the North.

11. The removal of tiles from a school in Limassol after it was discovered that they were produced in the North (despite the fact that such practice is within the framework of the Green Line Regulation).

12. The criticism shown by the Greek Cypriot leadership of a project sponsored by the Organization for Security and Cooperation in Europe regarding a bicommunal glossary for journalists.

13. The Greek Cypriot Administration has expressed sheer outrage over the intended participation of members of the Cyprus Symphony Orchestra, as well as its artistic director and first violinist from Germany, in the music festival organized in Northern Cyprus between 21 September and 16 November 2018. The members of Parliament have gone so far as to ask that the Greek Cypriot Ministry of Foreign Affairs take measures to "set the musicians straight", despite the fact that they would be participating in their personal capacity alongside their fellow Turkish Cypriot musicians. The matter has been heavily debated in the Greek Cypriot Parliament, and the musicians have even been publicly named and shamed in the Greek Cypriot press. Numerous members of Parliament have called for their dismissal from the orchestra, and they must now face the orchestra board to provide an explanation for their intended participation. Within the scope of the festival, several concerts are scheduled to take place at different venues in Northern Cyprus, including Bellapais Monastery, Girne Amphitheatre and Salamis Amphitheatre.

United Nations S/2018/916

Security Council

Distr.: General
19 October 2018
English
Original: Arabic

Identical letters dated 14 October 2018 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to convey to you the following information.

On 13 and 14 October 2018, the illegitimate "international coalition" led United States of America committed yet another crime against innocent Syrian civilians when its warplanes used internationally prohibited white phosphorus bombs against homes in the city of Hajin, Dayr al-Zawr governorate. Several civilians, mostly women and children, were killed and injured in that heinous crime.

In many previous letters, including those dated 6 and 17 August 2017 (S/2017/684 and S/2017/717, respectively), the Syrian Arab Republic has drawn attention to the fact that the "international coalition" has been using internationally prohibited white phosphorus bombs in a systematic manner to bombard residential neighbourhoods in Raqqah, Dayr al-Zawr, Aleppo and Hasakah, and has called upon the Security Council to take immediate action to stop such crimes and prevent their recurrence.

The systematic and deliberate use by the "international coalition" of internationally prohibited weapons against the Syrian people constitutes a flagrant violation of the norms of international law and international humanitarian law and of human rights instruments. This crime is yet another in the series war crimes and crimes against humanity that the "international coalition" has been committing against the Syrian people, crimes that include its ongoing support for terrorism and its use of terrorists and separatist militias to achieve its aims and implement its hostile schemes, which are directed against the sovereignty, unity and territorial integrity the Syrian Arab Republic.

The Syrian Arab Republic once again calls upon the Security Council to shoulder its responsibility of maintaining international peace and security. In addition to conducting an international investigation into those crimes, the Council must condemn them and take immediate action to stop them and prevent their recurrence. Moreover, the Security Council must put an end to the hostile and illegal presence in Syrian territory of United States forces and other foreign forces and prevent them from implementing their schemes to undermine the unity and territorial integrity of the Syrian Arab Republic.

I should be grateful if the present letter could be issued as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

18-17519 (E) 221018 221018

Please recycle

United Nations S/2018/917

Security Council

Distr.: General
17 May 2018

Original: English

Credentials of the representative of Peru on the Security Council

Report of the Secretary-General

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 14 May 2018 from the Permanent Representative of Peru to the United Nations stating that Mr. Juan José Ruda Santolaria, Adviser, will represent Peru at the 8262nd meeting of the Security Council, to be held on 17 May 2018.

In the opinion of the Secretary-General, that letter constitutes adequate provisional credentials.

18-17138 (E) 171018

Please recycle

United Nations S/2018/918

Security Council

Distr.: General
16 October 2018
English
Original: Russian

Letter dated 15 October 2018 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith information bulletins from the Russian Federation Ministry of Defence regarding the status of implementation of the memorandum on the creation of de-escalation areas in the Syrian Arab Republic for the period 13–15 October 2018 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) D. **Polyanskiy**
Chargé d'affaires a.i.

18-17196 (E) 171018 181018

Please recycle

Annex to the letter dated 15 October 2018 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

Information bulletin from the Russian Federation Ministry of Defence regarding the status of implementation of the memorandum on the creation of de-escalation areas (13 October 2018)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the memorandum on the creation of de-escalation areas in the Syrian Arab Republic, signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The number of violations by illegal armed groups active in the Idlib de-escalation area has not decreased.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported seven incidents of gunfire: five in Aleppo Governorate and two in Ladhiqiyah Governorate.

The Turkish representative office has not reported any violations.

Provision of humanitarian aid to the population of the Syrian Arab Republic

No humanitarian operations have been carried out over the past 24 hours.

In total, 1,962 humanitarian operations have been carried out. The total weight of humanitarian cargo delivered is 3,067.75 tons.

Reconciliation of opposing sides

No ceasefire agreements have been signed over the past 24 hours.

The number of populated areas that have joined the reconciliation process is 2,518.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.

Information bulletin from the Russian Federation Ministry of Defence regarding the status of implementation of the memorandum on the creation of de-escalation areas (14 October 2018)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the memorandum on the creation of de-escalation areas in the Syrian Arab Republic, signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The number of violations by illegal armed groups active in the Idlib de-escalation area has not decreased.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported nine incidents of gunfire: six in Aleppo Governorate and three in Ladhiqiyah Governorate.

The Turkish representative office has not reported any violations.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours the Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic has carried out two humanitarian operations: in Zira'ah, Aleppo Governorate, 450 food parcels with a total weight of 1.95 tons were delivered; and in Mazlum, Dayr al-Zawr Governorate, 450 food parcels with a total weight of 1.95 tons were delivered.

In total, 1,964 humanitarian operations have been carried out. The total weight of humanitarian cargo delivered is 3,071.6 tons.

Reconciliation of opposing sides

No ceasefire agreements have been signed over the past 24 hours.

The number of populated areas that have joined the reconciliation process remains unchanged at 2,518.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.

Information bulletin from the Russian Federation Ministry of Defence regarding the status of implementation of the memorandum on the creation of de-escalation areas (15 October 2018)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the memorandum on the creation of de-escalation areas in the Syrian Arab Republic, signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The number of violations by illegal armed groups active in the Idlib de-escalation area has not decreased.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported seven incidents of gunfire in Ladhiqiyah Governorate.

The Turkish representative office has not reported any violations.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours the Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic has carried out one humanitarian operation: in B'ir Ajam, Qunaytirah Governorate, 300 food parcels with a total weight of 1.29 tons were delivered.

In total, 1,965 humanitarian operations have been carried out. The total weight of humanitarian cargo delivered is 3,073 tons.

Reconciliation of opposing sides

No ceasefire agreements have been signed over the past 24 hours.

The number of populated areas that have joined the reconciliation process remains unchanged at 2,518.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.